



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr K Milne

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

# Agenda

## **Ordinary Council Meeting Thursday, 4 July 2019**

held at

**Council Chambers, Murwillumbah Civic & Cultural Centre, Tumbulgum Road,  
Murwillumbah**

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

# Principles for Local Government

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

## Guiding Principles for Tweed Shire Council

### (1) Exercise of functions generally

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

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

### (2) Decision-making

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

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

### (3) Community participation

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

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**Items for Consideration of Council:**

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## CONFIRMATION OF PLANNING COMMITTEE MINUTES

### 1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 5 July 2019

**SUBMITTED BY:** Corporate Governance

mhm

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

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

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

**ROLE:** **Leader**

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#### SUMMARY OF REPORT:

The recommendations of the Ordinary Planning Committee Meeting held Thursday 5 July 2019 require their adoption by Council for the resolutions to be acted upon.

#### RECOMMENDATION:

**That the recommendations of the Ordinary Planning Committee Meeting held Thursday 5 July 2019 be adopted.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice.

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

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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

Nil.

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## MAYORAL MINUTE

### 2 [MM-CM] Mayoral Minute - Local Government NSW Annual Conference

**SUBMITTED BY:** Cr K Milne, Mayor

mhm



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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 Mayoral Minute provides information on advice relating to the Local Government NSW Annual Conference to be held at Warwick Farm, NSW on 14-16 October 2019.

Following Council resolution of 17 April 2019 to not have formal Council meeting in July it is submitted at this meeting for the information and determination of Councillors.

#### RECOMMENDATION:

**That the attendance of the following Councillors at the Local Government NSW Annual Conference to be held at Warwick Farm, NSW on 14-16 October 2019 be authorised.**

## REPORT:

Councillors

Following Council resolution of 17 April 2019 to not have formal Council meeting in July it is submitted at this meeting for the information and determination of Councillors.

The information below is provided for determination of attendance at the following conference.

### **Information on Conferences to be held**

- 14-16 October Local Government NSW Annual Conference – Warwick Farm NSW

The Annual Conference is the main policy making event for the local government sector. It is your council's opportunity to submit motions for consideration and debate by delegates. Motions passed at Conference become Resolutions, which LGNSW takes forward on your behalf, as part of our sector's advocacy agenda. Deadline for submitting motions is 19 August 2019. As 2019 is a Board election year, voting for the LGNSW President and Director positions will also take place at this year's conference. Tweed Shire Council has four member voting entitlements.

Registration opens 15 July and Earlybird rates will apply. No rates available at time of this report but 2018 and 2017 rates were \$950 and \$943 respectively. Two flights, three night's accommodation, transfers.

<https://www.lgnsw.org.au/events-training/local-government-nsw-annual-conference-2019>

## 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:**

Attachment 1. Local Government NSW Annual Conference information.  
(ECM 5933389).

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## ORDERS OF THE DAY

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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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### 3 [NOR][GM-CM] NSW Ombudsman Review - Tweed Valley Hospital

#### NOTICE OF RESCISSION:

Councillors J Owen, P Allsop and R Byrnes hereby give notice that at the next Ordinary Council meeting of Council we will move that the resolution from the meeting held on Thursday 20 June 2019 at Minute No 239 Item No 12 titled [GM-CM] NSW Ombudsman Review - Tweed Valley Hospital being:

*"that Council:*

1. *Notes that the Ombudsman's advice was that their investigation was confined only to the "conduct in relation to how Health Infrastructure's advice had been obtained".*
2. *Makes the advice of Senior Counsel Tim Robertson of 17 December 2018 available for viewing in Council offices."*

***be rescinded.***

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4 [NOM-Cr J Owen] NSW Ombudsman Review - Tweed Valley Hospital

**NOTICE OF MOTION:**

Councillor J Owen moves that Council receives and notes the correspondence from the NSW Ombudsman dated 30 May 2019.

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

mhm

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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 make informed decisions in the best interest of the community.

**ROLE:** **Advocate**

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Reference is made to the Council report considered at the meeting on 20 June 2019.

Budget/Long Term Financial Plan:

Not applicable.

Legal Implications:

Yes, as previously reported legal advice was received prior to Council's resolution of 21 February 2019. Total legal costs for that advice were \$34,514.

Policy Implications:

Corporate Policy Not Applicable

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 5 [GM-CM] Quarterly Payment - The Tweed Tourism Company

SUBMITTED BY: Land & Economic Development

mhm



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

- 3 People, places and moving around
- 3.1 People
- 3.1.12 Tourism - to market the Tweed as a tourism destination.

ROLE: **Leader**

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#### SUMMARY OF REPORT:

At the April meeting Council determined the meeting dates for the second half of 2019. As a result of this determination there is no Council meeting scheduled for July 2019. The Tweed Tourism Company (TTC) was due to present their quarterly report to the July 2019 Council meeting.

As part of TTC's funding contract their funding requires their payment to be made quarterly in advance on successful presentation of a quarterly report for the previous quarter.

This report recommends that two months of the third quarter 2019 payment to TTC be made immediately. The remaining one month payment be presented for Council's August meeting 2019 along with TTC's quarterly report for the second quarter 2019.

#### RECOMMENDATION:

That Council:

1. **Pay The Tweed Tourism Company (DR Tourism Pty Ltd) two months of its third quarter 2019 payment immediately on submission of an appropriate tax invoice, and**
2. **Considers the second quarterly report for 2019 from the Tweed Tourism Company at the August 2019 Council meeting, at which time the remaining months payment can be considered.**

## **REPORT:**

At the April meeting Council determined the meeting dates for the second half of 2019. As a result of this determination there is no Council meeting scheduled for July 2019. The Tweed Tourism Company (TTC) are due to present their quarterly report to the July 2019 Council meeting.

As part of TTC's funding contract their funding requires their payment to be made quarterly in advance on successful presentation of a quarterly report for the previous quarter. It is recommended that two months of the third quarter 2019 payment be authorised to be paid to TTC immediately. The remaining one month payment be presented for Council's August meeting 2019 along with TTCs quarterly report for the second quarter 2019.

TTC's quarterly funding payments are authorised through a resolution of Council. In this instance if Council does not resolve to make the third quarter 2019 payment at this meeting their payment cannot be made until late August 2019.

TTC's second quarterly report for 2019 will be presented to the August 2019 Council meeting. With the third quarter 2019 report scheduled for the October 2019 meeting will follow the scheduled quarterly pattern.

## **OPTIONS:**

Council has two options available;

1. Approves to pay The Tweed Tourism Company (DR Tourism Pty Ltd) two months of its third quarter 2019 payment immediately on submission of an appropriate tax invoice and accept the first quarterly report to go to the August 2019 meeting, where the remaining months payment can be considered, or
2. Does not endorse early payment to The Tweed Tourism Company (DR Tourism Pty Ltd).

## **CONCLUSION:**

This report recommends that two months of the third quarter 2019 payment to TTC be made immediately. The remaining one month payment be presented for Council's August meeting 2019 along with TTCs quarterly report for the second quarter 2019.

## **COUNCIL IMPLICATIONS:**

### **a. Policy:**

Corporate Policy Not Applicable

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

The Tweed Tourism Company are contracted to provide tourism services to Council. This contract is wholly funded under Council's Economic Development Budget.

### **c. Legal:**

Not Applicable.

### **d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## REPORTS FROM THE DIRECTOR PLANNING AND REGULATION

### 6 [PR-CM] RFO2019087 Supply, Installation and Product Support of a Vehicle-mounted Mobile Parking Infringement System

**SUBMITTED BY: Compliance**

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
3.1.4	Compliance Services - To support a safe and healthy built and natural environment through the enforcement of local government rules and regulations.

**ROLE:** **Provider**

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#### SUMMARY OF REPORT:

Request for Offer RFO2018072 was called to engage a suitably qualified and experienced organisation(s) to supply, install and support a Vehicle-mounted Mobile Parking Infringement System for use within the Tweed Shire.

Council at its meeting 21 December 2018 resolved:-

*'That in respect to Contract RFO2018072 Supply, Installation and Product Support of a Vehicle-mounted Mobile Parking Infringement System:*

- 1. Council declines to accept any of the Offers in accordance with Regulation 178 of the Local government (General) Regulation 2005.*
- 2. The General Manager be granted delegated authority to undertake negotiations with Reino International Pty Ltd (trading as Duncan Solutions Australia) in order to determine whether a cost-effective solution can be obtained and the results of those negotiations be reported to Council.'*

Following a review of the system requirements and after undertaking initial negotiations, a revised business case was prepared. The revised base case based on these changes remained positive and was approved by the General Manager.

Request for Offer **RFO2019087** was then called to submit a final offer from the preferred tenderer.

The evaluation of **Reino International Pty Ltd (trading as Duncan Solutions Australia ABN 75 079 147 201)** 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 RFO2019087 Supply, Installation and Product Support of a Vehicle-mounted Mobile Parking Infringement System:**

- 1. Council awards the offer to Reino International Pty Ltd (trading as Duncan Solutions Australia ABN 75 079 147 201) for the amount of \$328,058.53 (exclusive of GST).**
- 2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.**
- 3. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (d) commercial information of a confidential nature that would, if disclosed:**
    - (i) prejudice the commercial position of the person who supplied it, or**
    - (ii) confer a commercial advantage on a competitor of the council, or**
    - (iii) reveal a trade secret.**



## REPORT:

### Offer Background

Request for Offer RFO2018072 was called to engage a suitably qualified and experienced organisation(s) to supply, install and support a Vehicle-mounted Mobile Parking Infringement System for use within the Tweed Shire.

With this technology Council aims to replace the majority of its current manual field inspections with a smarter, safer, more accurate and integrated means of monitoring and responding to live data feeds of non-compliant traffic and parking activity.

It will also enable Council to promote the more positive aspects of parking compliance for the wider community, by facilitating safer, more accessible and environmental friendly business centres, schools, coastal and recreation areas.

Council at its meeting 21 December 2018 resolved:-

*'That in respect to Contract RFO2018072 Supply, Installation and Product Support of a Vehicle-mounted Mobile Parking Infringement System:*

- 1. Council declines to accept any of the Offers in accordance with Regulation 178 of the Local Government (General) Regulation 2005.*
- 2. The General Manager be granted delegated authority to undertake negotiations with Reino International Pty Ltd (trading as Duncan Solutions Australia) in order to determine whether a cost-effective solution can be obtained and the results of those negotiations be reported to Council.'*

Following a review of the system requirements a revised business case was prepared based on the removal of two capabilities:

- Automated lookup of number plates in state vehicle repositories; and
- In-field real-time printing of infringement notices after centralised review.

The revised base case based on these changes remained positive and was approved by the General Manager.

Request for Offer RFO2019087 was then called to submit a final offer from the preferred tenderer.

### 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 as a sole source to the preferred tenderer.

### Offer Addendums

There were no Notices to Bidders issued before close of Offer.

### Offer Submissions

The offer submission closed at 4.00pm (local time) on Tuesday 11 June 2019. A complying offer was received from:

Bidder	ABN
Reino International Pty Ltd Trading as Duncan Solutions Australia	75 079 147 201

### Offer Evaluation

The Offer was evaluated as per the Offer Evaluation Plan for the previous RFT, RFO2018072. This Offer Evaluation Plan was developed based on the premise that competitive Offers were to be received and scored against specific evaluation criteria in order to select the best value Offer.

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

Position
Director of Planning and Regulation
Manager Information Technology
Applications Database Administrator

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

Criterion	Document Reference	Weighting (%)
Value for Money (Normalised Offer Price)	5.7	30%
Offer Conformity, Quality Management, WHS and Risk Management	5.8 5.9	40%
Environmental Management	5.5	10%
Previous Contract Experience	5.4	10%
Local Content	5.6	10%
Sustainable Procurement	5.5	Yes
	<b>Total</b>	100%

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

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

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

The evaluation found that the offer was fully compliant with the revised requirements and that the overall lifecycle costs would result in a positive business case for proceeding with the solution.

It is therefore recommended that Council awards the offer to Reino International Pty Ltd (trading as Duncan Solutions Australia ABN 75 079 147 201) for the amount of \$328,058.53 (exclusive of GST).

**OPTIONS:**

1. Council awards the offer to Reino International Pty Ltd (trading as Duncan Solutions Australia ABN 75 079 147 201) for the amount of \$328,058.53 (exclusive of GST); or
2. Declines to accept the Offer, including reasons for this course of action in accordance with Regulation 178 of the Local government (General) Regulation 2005).

**CONCLUSION:**

The offer from Reino International Pty Ltd (Trading As- Duncan Solutions Australia) (ABN: 75 079 147 201) has been determined to satisfy the non-price criteria and the price offered results in overall lifecycle costs that provide a positive business case for proceeding with the solution.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.7

In accordance with Local Government (General) Regulations 2005.

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

Positive business case requiring no changes to the Long Term Financial Plan. Provision for the RFO2019087 Supply, Installation and Product Support of a Vehicle-mounted Mobile Parking Infringement System 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. RFO2019087 Offer Evaluation Report (ECM 5941182)

(Confidential) Attachment 2. RFO2019087 - Offer Evaluation Scoring Sheet (ECM 5941193)

## REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT

### 7 [SCE-CM] Ongoing Operations of the Salvage Centre at the Stotts Creek Resource Recovery Centre

**SUBMITTED BY:** Resource Recovery

mhm



Leaving a Legacy  
*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.3 Utility Services
- 1.3.1 Rubbish and Recycling Services - To collect, recycle and dispose of residential and commercial waste, manage landfill sites and deliver community education so as to divert rubbish from landfill.

**ROLE:** **Provider**

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#### SUMMARY OF REPORT:

In June 2018 Council took over responsibility for all operations at the Stotts Creek Resource Recovery Centre (SCRRC). On 6 June 2018 Council resolved to enter into an interim arrangement with St Vincent de Paul to continue operating the salvage centre (tip shop). It was also resolved that Council develop a specification for the operation of the tip shop. Staff were to use the period up to 31 March 2019 to evaluate salvage operations and bring back a further report on the options for salvage operations.

The business case prepared to evaluate the operation of the tip shop has been based on the Better Practice Guidelines for Reuse Shops. It is noted that this is quite different than the current operations. Waste facilities with salvage operations in the region were also consulted and inspected. Labour and plant estimates in the business case were based on Council wages and plant charges. The tip shop income was a provisional estimate as Council does not have current information on tip shop sales and income.

The following options were also considered which split the tip shop operations and metal salvage:

- a) for Council to run the tip shop
- b) a NFP organisation to run the tip shop
- c) the tip shop be put out to tender for a private entity to run it

A report was presented to Council on 16 May 2019 seeking guidance on their preferred option to run the salvage operations including the tip shop and metal salvage. Council deferred the decision and requested another workshop which was held on 30 May 2019.

This report is presented seeking Council's direction on its preferred method of operation for the salvage of metals and the recovery and resale of usable items through the tip shop.

**RECOMMENDATION:**

**That Council determines its preferred option.**

## REPORT:

### Background

#### *Council resolutions and workshops*

At the Council meeting of 1 March 2018 Council resolved that:

"...

3. *Council takes over the management of the Stotts Creek Resource Recovery Centre site until the Masterplan and associated capital works program have been delivered.*
4. *A further report be brought back to Council following delivery of the capital works program, on the best options for the long term management of the Stotts Creek Resource Recovery Centre site."*

A further report was put to Council at the meeting of 7 June 2018 where it was resolved that:

- "1. *Council enters into an interim arrangement for the operation of the tip shop and salvage operations at the Stotts Creek Resource Recovery Centre with St Vincent de Paul Society NSW to maintain their current level of service up to 30 June 2019.*
2. *A workshop with Councillors be scheduled to discuss the development of specifications for the provision of the service regarding social benefit and waste diversion options over the medium to longer term.*
3. *Council uses the period July 2018 to 31 March 2019 to investigate options, capture the necessary information and determine the most effective way to undertake salvage operations at the site including the management of a tip shop from 1 July 2019."*

On 8 November 2018 a workshop was held with Council to consult on the options for management of the tip shop and salvage operations and in particular the 'not for profit' objectives applied when tendering this service previously.

On 28 March 2019 a further workshop on waste and contamination management was held with Council and the tip shop was discussed as part of the overall management of waste.

At the Council meeting of 16 May 2019 a report was presented to Council outlining the three options for the operation of the tip shop and it was resolved that Council:

- "1. *Defers this item for a Workshop.*
2. *Continues to utilise the services of St Vincent de Paul for the management of the tip shop in the interim period."*

On 30 May 2019 a workshop was held with Council where the various objectives and merits of the three options for operation of the tip shop were discussed.

### Options for Salvage Operation

Waste salvage at the SCRRC consist of two main elements:

1. Ferrous; and

2. non-ferrous metals recovery from demolition material dropped off at the tip face, and the recovery and sale of reusable and salvageable goods through a tip shop.

The following options have been used at various other sites around Australia to undertake operations including the recovery of ferrous and non-ferrous scrap metal and of reusable items.

1. Salvage of scrap metal and reusable items managed by Council;
2. Salvage of scrap metal and reusable items managed by either a NFP or commercial operator; and
3. Salvage of scrap metal managed by Council and reusable items and the tip shop managed by either a NFP or commercial operator.

In general the metals recovery is a profitable venture when metal values are high and so can provide a revenue stream to support the operation of the tip shop where it can be difficult to generate a profit. Contractors who tender for the service will generally pay for the salvage rights when the metals recovery is included by way of either a tonnage commission or an outright payment for rights, and alternatively pay very little for the right to operate the tip shop.

When metal prices are low, metal salvage operations receive much less focus from contractors and they put more effort into the recovery of reusable items.

Council has the added incentive of minimising the cost of the waste levy on recovered materials and in saving on landfill airspace. This effectively translates into a financial benefit that can justify these activities even when they are marginal in terms of pure revenue generation.

### **Current Operations**

The Stotts Creek site is managed by Council with the tip shop currently managed by a NFP operator (St Vincent de Paul). The NFP has the rights to recover and resell reusable items but not for the recovery of ferrous and non-ferrous scrap metal from the commercial tipping area (Landfill).

Council operates the recovery of ferrous and non-ferrous metal from the landfill. This year 960 tonnes of metal has been recovered in the first nine months which has shown a return to Council of approximately \$190,000.

There have been times in previous years when the resource value of metals was quite low and it was not financially viable for the contractors managing the site to salvage or recover scrap metal. At these times contractors tend to withdraw resources from metal recovery, however there are still advantages to Council in pulling this material out to preserve landfill space and to minimise our costs of the waste levy.

Presently the NFP operator in the tip shop pays no royalties to Council for salvage rights and is provided with a facility from which to operate including free power and water.

### **Overarching Objectives**

There are three different overarching objectives that can be applied to salvage operations and it is important that Council considers and prioritises these. These are waste diversion, the provision of a social enterprise including training and employment opportunities for socially

disadvantaged people, or the preservation of landfill airspace through processing and removal of waste. Each potential manager of the salvage operations is likely to have a different priority.

If Council's objective is primarily waste diversion, there needs to be sufficient focus on this aspect in the tender documents and an open tender for a commercial operator or Council operating the site would likely deliver the best results. Where a contractual arrangement is preferred the contract would need to provide incentives to ensure the focus is directed toward diversion and not just profits, and this would need to include some kind of risk sharing with Council for the times when the resource value of metal is low.

If however the main objective is to maintain the operations as a social enterprise providing employment and training opportunities for disadvantaged people, then Council would call for tenders from NFP organisations to run the tip shop with this as the main objective. This requirement would need to be built into the tender documents, and Council would then need to consider whether to include the provision of the rights for metal recovery as well as the operation of the tip shop as this would provide a significant source of income that could foster increased activity in this space.

If the objective is to seek to balance both waste diversion and the provision of social enterprise benefit, the current model with Council managing the metals recovery, and the NFP as tip shop operator is likely to provide the best option.

The use of a NFP operator was previously included as a requirement of the site operations contract with the current NFP operator retained when the Council took over the management of the site.

The modelling undertaken indicates that the profitability of the tip shop is marginal without the rights to metal recovery. The initial NFP operator withdrew their services due to lack of profitability, however the current NFP operator has been running the tip shop for the last 2½ years indicating that it can be managed sustainably. This operation diverts only a relatively small amount of waste (224 tonnes or less than half of 1% in 2017/2018).

Council may wish to consider advertising tenders with the engagement of a commercial operator as the focus. This tender could include all salvage operations or just the operations of the tip shop. Tendering the service does not limit the use of a NFP organisation, but would open up the tender to all parties, and require any NFP who may bid to run the operations to win the contract on merit.

Generally commercial salvage operators will have a greater focus on the profitable recovery of materials. They will not always pursue the recovery of items where there are marginal or minimal returns, and they will adopt social contracts when required to or where the use of inexpensive labour provides a financial benefit. Their primary motivation is likely to be profit.

### **Risk and Diversion**

The current modelling shows that the operation of the tip shop would be financially marginal without metals recovery. The low return as well as the short term nature of the current engagement may also be why the contractors on site have not been able to invest in the presentation of the shop.

There is merit in Council maintaining control of the metals recovery from the landfill area as this will limit the exposure of contractors to our operations whilst supplementing operational income. Contractor based metals recovery also falls when metal prices are low unless they



have an incentive to maintain this, and Council has added incentives to minimise our waste levy costs and save air space.

The lowest financial risk option would be to leave the salvage operations for reusable items in the hands of the contractor whether they be a commercial operator or NFP organisation who understand the business. If however the recovery of metal and the operations of the tip shop were combined, the additional cash flow could lead to a better model for overall recovery by providing for a more profitable operation.

Council would need to be satisfied that the tender option without the rights to metals would attract a competitive field of bidders, and whether to require that the organisation be a NFP operator. The metals recovery is often used to subsidise salvage operations at other sites but can also lead to this becoming a singular focus when metal prices are high, or given less focus when they are low.

There may also be a reputational risk to Council in displacing a NFP operator without undertaking a tender process, and the basis of this decision would need to be clearly communicated.

### **Merits and Drawbacks of the Various Options**

#### *1. Salvage of reusable items and scrap metal - managed by Council*

This option gives Council ultimate control of all aspects of the salvage operations at the site. Whilst there is considerable value in the recovery of scrap metal at present, the tip shop is unlikely to generate significant revenue and is more likely to be a cost neutral operation to Council at best. The operation of the tip shop is a specialised activity that would require Council to employ staff and to provide training. There would also be a degree of risk to Council in taking over the whole operation, and in particular with the cash handling.

The annual cost to operate the tip shop has been estimated at approximately \$210,000 in labour costs. The operating model includes a provisional estimate for a one off cost for upgrades to the tip shop and the purchase of a second hand small truck to transport reusable items between the drop off area and the shop (\$55,000). There will be ongoing plant costs for the operation of the forklift and small truck provisionally estimated at \$50,000 per annum, making the recurring annual cost of operations for the tip shop \$260,000.

The income for the operations of the tip shop has been conservatively estimated at \$180,000 per annum, and \$250,000 for metals salvage (based on this year). This would give Council a return of approximately \$171,000 which could be used to fund other recovery based activities and education opportunities at the site, or alternatively used to offset our increasing cost of waste operations.

The one off capital outlay of \$55,000 estimated to be needed to improve the appearance and functioning of the tip shop has not been included in this income projection.

Council also gets the levy saving for the tonnes that do not go into landfill which for the metal alone adds an additional \$94,400 of deferred cost per annum. This is applicable whenever metal is recovered and is therefore not restated in each option. Should scrap metal values fall, only Council would receive this benefit and therefore Council may need to incentivise the contractors to continue recovering scrap once the value got below a certain amount.

Management of the tip shop provides Council with a valuable opportunity to expand education and awareness to visitors to the SCRRC as over 17,000 people visited the tip shop last year.

Council has the opportunity to expand our program and services, to investigate and adopt innovative approaches such as the running of workshops and programs. This may include programs such as Do It Yourself (DIY) repair workshops, the operation of a tool library and engaging with the community on creative uses for recovered materials.

2. *Salvage of scrap metal managed by Council and reusable items and tip shop managed by either a NFP or commercial operator*

With this option Council retains the benefit of the return on the scrap metal and can focus on saving air space and reducing levy payments. This also allows the metals recovery to continue even if prices for scrap metal falls. There is also less safety risk as a contractor undertaking salvage operations does not having to integrate with our disposal site management where the metal is recovered.

The contractor has the ability to manage the tip shop in the most economical way and to develop this market. The question will always be whether this activity can be profitably undertaken without the metals salvage, however the current operator has maintained their operations for the past 2½ years. By taking away the income of metals recovery Council does however accept that this operation will look less presentable as there will be less return available to invest in the presentation and overall layout of the shop.

Under this option Council incurs no cost to operate the tip shop other than power, water and a building from which to operate, has no capital outlay for the new plant and equipment required for the tip shop operations, and still recovers the money from metal salvaged (\$250,000 this year).

3. *Salvage of reusable items and scrap metal managed by either a NFP or commercial operator*

This option allows a profitable operation to be established by the contractor under current values for metals. This option results in a loss of income to Council for the metals when the price is high, and a loss of control over the operation. If the price of metals falls significantly, as it does from time to time, it is likely that the contractor will reduce their effort to recover metals.

Council has the added benefit with metal salvage of saved air space and minimise the costs of the landfill levy, so there would be an advantage in incentivising the contractor to continue removing metal should the price for metal fall too low.

This option allows the contractors to integrate their operations as much as possible and to achieve economies of scale by fully utilising staff and plant.

This option would likely show a return to Council depending on what was submitted at tender for the royalties paid by contractors to operate the tip shop including metal salvage. It would mean that the return would need to exceed \$250,000 per annum to outweigh the current benefits of option two where Council is paid for salvaged metal. Council would also avoid the capital costs incurred in option one, but would need to accept that the tip shop is unlikely to be improved in terms of presentation and layout.

**OPTIONS:**

1. Take over all facets of operations for the salvage and recovery of metals, reusable material and items and to run the tip shop. To revamp the tip shop to improve

presentation, customer experience and to maximise community education and awareness of the circular economy.

2. Retain control over metal salvage and tender out the management of the salvage operations for reusable items and the tip shop, as is the current model. This could be done through either open tender or by a tender specifying that the operator must be a NFP organisation.
3. Tender out all aspects of salvage including metals and the operations of the tip shop to either a NFP or commercial salvage operator.

### **CONCLUSION:**

Council has a number of options and objectives in running salvage operations at the landfill including the recovery of metal and the operation of a tip shop. These include ensuring the safety of staff and visitors to the site, ensuring value for money to ratepayers, providing social opportunities and reducing our impact on the environment. Each model of operations favours different objectives. This report seeks to inform Council of the benefits of the three methods of operation to allow them to provide guidance on their preferred option for recovery of metals and the operation of the tip shop.

Council took over responsibility for the management of all facets of the operations at the SCRRC on 1 June 2018. A resolution was passed by Council to retain the services of St Vincent de Paul to operate the tip shop until 30 June 2019 whilst Council evaluated the salvage operations to inform our decision making on future management of salvage operations.

A model of operations for the tip shop based on the better practices guideline for reuse shops was developed and Council used this to evaluate the cost to set up and run the tip shop operations in-house. A conservative estimate of the amount of money that could be raised from product sales was used as Council has no information on the current NFP's income or costs.

The model estimated the operating cost for wages at approximately \$210,000 per annum with additional recurring costs for plant, electricity and incidentals. Council would also need to purchase at least one small truck and to utilise the on-site forklift for the transfer of materials to the tip shop. Council would also need to spend approximately \$40,000 to improve the presentation and layout of the tip shop and to allow for appropriate cash handling.

Income for the tip shop sales was conservatively estimated at \$180,000 per annum. The modelling and cost evaluation showed that the tip shop is unlikely to be profitable without the inclusion of metals salvage.

Approximately 25% of the customers visiting the SCRRC go to the tip shop so this provides an excellent opportunity for communication and education about the benefits of moving toward a circular economy. There is also the opportunity to include other activities such as degassing of refrigerators and air conditioners, refurbishment of recovered materials and the establishment of a tool library.

In nine months of operation Council has received 443 tonnes of self-hauled scrap metal and recovered an additional 517 tonnes from the incoming dry waste stream. This has been sold off as light gauge scrap for approximately \$190,000 which shows the benefit of this activity, as well as space saved within the landfill and the waste levy minimised.

Council officers are seeking direction from Council on the preferred option for management of the salvage operations at the SCRRC including metals recovery and the operation of the tip shop.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.7.

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

All options show Council receiving a payment for operations with the most favourable options being option 2 which has the Council continuing to recover metal and the contractor continuing to operate the tip shop. This provides Council with \$250,000 of income based on the current value for ferrous scrap.

The option with all operations undertaken under contract would need to be tested by going to the market to determine the income this would represent, however the option with Council operating all aspect shows a return to Council of approximately \$170,000 based on the current value of ferrous scrap.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Buy Back Centre Assessment (ECM 5858078)

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**8 [SCE-CM] Statutory Covenant for Conservation Purposes at the Stotts Creek Resource Recovery Centre**

**SUBMITTED BY: Resource Recovery**

**FILE REFERENCE: DA95/0193.02**

mhm



**Leaving a Legacy**  
*Looking out for future generations*

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

- 1 Leaving a Legacy
- 1.3 Utility Services
- 1.3.1 Rubbish and Recycling Services - To collect, recycle and dispose of residential and commercial waste, manage landfill sites and deliver community education so as to divert rubbish from landfill.

**ROLE: Provider**

**SUMMARY OF REPORT:**

Council, at its meeting on 17 April 2019, approved Development Application DA95/0193.02 with a development consent condition requiring Council, as the land owners, to create a restrictive statutory covenant for conservation purposes on Lot 1 DP 590220.

This report is seeking a resolution from Council to permit the execution of all necessary documentation to create a restriction on the use of Lot 1 DP 590220 for conservation purposes in order to comply with development consent DA95/0193.02.

**RECOMMENDATION:**

**That Council creates a restrictive statutory covenant for conservation purposes on Lot 1 DP 590220 as required by condition four of Development Consent DA95/0193.02 and authorises the affixing of the Council Seal.**

## **REPORT:**

Council, at its meeting on 17 April 2019, approved Development Application DA95/0193.02 to amend DA95/0193 for the continuing use of Bartlett's Quarry and the expansion of the landfill site at Lot 1 DP 590220 & Lot 5 DP221825: No 298 Bartletts Road, Eviron.

Condition four of the development consent conditions for DA95/0193.02 requires a restrictive statutory covenant to be created for conservation purposes under section 88b of the Conveyancing Act 1919.

The attached survey plan (Attachment 1) dated 11 June 2019, titled "Proposed Conservation Boundary" identifies the 2.5 hectares of proposed conservation area on Lot 1 DP 590220. The proposed conservation area is situated along the ridgeline adjacent to existing landfilling operations at the Stotts Creek Resource Recovery Centre.

As Council are the owners of Lot 1 DP 590220, this report is seeking a resolution from Council to permit the execution of all necessary documentation to create a restriction on the use of Lot 1 DP 590220 for conservation purposes.

## **OPTION:**

As the land owners of Lot 1 DP 590220, approve the execution of all necessary documentation under the Common Seal of Council to apply for a restrictive statutory covenant for conservation purposes under s88b of the Conveyancing Act 1919 as required by condition four of Development Consent DA95/0193.02.

## **CONCLUSION:**

Development consent DA95/0193.02 to amend DA95/0193 for the continuing use of Bartlett's Quarry and the expansion of the landfill site at Lot 1 DP 590220 and Lot 5 DP221825: No 298 Bartletts Road Eviron requires the creation of a restrictive statutory covenant for conservation purposes on Lot 1 DP 590220. The restrictive covenant needs to be registered on the land title, requiring a resolution from Council as the land owners to sign all necessary documentation to create the land restriction on Lot 1 DP590220.

## **COUNCIL IMPLICATIONS:**

### **a. Policy:**

Corporate Policy Not Applicable.

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

Council's waste management budget will cover all costs associated with the management of the conservation area.

### **c. Legal:**

The restriction on Lot 1 DP 590220 needs to be registered on the title which requires a resolution from Council to sign all necessary documentation to create the restriction on the land use.

### **d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Survey Plan (ECM 5930249)

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9 [SCE-CM] RFO2019078 Upgrade Works to the Tweed Heads Civic Centre - Cultural Plaza, Social Enterprise Cafe and Library Reading Room

SUBMITTED BY: Community and Cultural Services

Valid



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:** Provider

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**SUMMARY OF REPORT:**

Request for Offer RFO2019078 Upgrade Works to the Tweed Heads Civic Centre - Cultural Plaza, Social Enterprise Cafe and Library Reading Room was called to engage an experienced and qualified contractor to carry out upgrade works to the Tweed Heads Civic Centre. These works include but are not limited to the upgrade to the cultural plaza between Council buildings, extension of the library to incorporate a quiet reading room and modification of an existing room in the Council Administration building into a social enterprise café.

At the time of closing two 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 RFO2019078 Upgrade Works to the Tweed Heads Civic Centre- Cultural Plaza, Social Enterprise Cafe and Library Reading Room:**

1. Council awards the Contract (RFO2019078) to Greg Clark Building Pty Ltd ABN 92 003 846 026, ACN 003 846 026 for the amount of \$967,118.18 (exclusive of GST).
2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council at finalisation of the contract.



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

## REPORT:

### Offer Background

Offer RFO2019078 Upgrade Works to the Tweed Heads Civic Centre- Cultural Plaza, Social Enterprise Cafe and Library Reading Room was called to engage an experienced and qualified contractor to carry out upgrade works to the Tweed Heads Civic Centre. These works include, but are not limited to the upgrade to the cultural plaza between Council buildings, extension of the library to incorporate a quiet reading room and modification of an existing room in the Council Administration building into a social enterprise café.

Under the Offer RFO2019027 Council went to the open market for the full scope of works planned for the project. Offers for RFO2019027 closed in the Tender Box on 27 March 2019 and only one submission was received from Greg Clark Building Pty Ltd (ABN 92 003 846 026). This sole submission was above the allocated budget at the time. Council Officers identified a number of scope reductions and requested Greg Clark Building Pty Ltd to provide an interim quote on the reduced scope of works indicated by marked up drawings.

The offered price reduction was still above the allocated budget of \$931,007. Subsequently a Quantity Surveyor was engaged and verified the quoted reduction was fair and reasonable. The budget holder confirmed that the additional \$36,111 funds above the allocated budget could be sourced from the Tweed Heads Civic Centre Community Facilities fund for the 2018/2019 financial year and also the 2019/2020 budget. On 2 May 2019 Council resolved:

*"that in respect to Contract RFO2019027 Upgrade Works to the Tweed Heads Civic Centre- Cultural Plaza, Social Enterprise Cafe and Library Reading Room:*

1. *Council declines to accept any of the Offers in accordance with Regulation 178 of the Local Government (General) Regulation 2005.*
2. *The General Manager be granted delegated authority to undertake negotiations with Greg Clark Building Pty Ltd (ABN-92 003 846 026) and/or any other suitably qualified suppliers in order to determine whether a more cost-effective solution can be developed and the results of those negotiations be reported to Council.*
3. *ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:*
  - (c) *information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
  - (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."*

Reduced scope of works documentation was properly developed for RFO2019078 and three known contractors, including Greg Clark Building Pty Ltd, were invited to submit offers for the reduced scope of works and enter into the negotiations if required.

Offer submissions closed at 4.00pm (local time) on 29 May 2019 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah.

### Offer Submissions

At the closing time for Offer Submissions, the Tender Box was opened and two offers were recorded as below:

<b>Bidder</b>	<b>ABN</b>
Desire Contractors Pty Ltd	77 167 694 055
Greg Clark Building Pty Ltd	92 003 846 026

### Offer Evaluation

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

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

<b>Position</b>
Project Manager- Contracts
Senior Engineer- Civil Design
Manager- Community and Cultural Services

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 2	60
Relevant Experience and Capability	Schedule 12	15
Management Systems (WH&S, Quality and Environmental)	Schedule 5, 6 & 8	5
Methodology and Proposed Work Program	Schedule 11	10
Local Preference	Schedule 14	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 Score 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:

1. Award the Contract to Greg Clark Building Pty Ltd ABN 92 003 846 026, ACN 003 846 026 for the amount of \$967,118.18 (exclusive of GST).
2. Decline 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:**

Greg Clark Building Pty Ltd achieved the highest overall evaluation score and is therefore deemed as the best value option for Council for RFO2019078.

**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 RFO2019078 Upgrade Works to the Tweed Heads Civic Centre - Cultural Plaza, Social Enterprise Cafe and Library Reading Room is included in the 2019/2020 Budget.

The funding includes the budget allocation of \$931,007 for this project plus an additional \$36,111 from the Tweed Heads Civic Centre Community Facilities fund.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Offer Evaluation Report (ECM 5929353)

*(Confidential)* Attachment 2. Offer Evaluation Score Sheet (ECM 5925628)

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10 [SCE-CM] Funding Variation for the Continuity of Support (CoS) Program

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
- 3.1.3 Community Services - To build stronger, more inclusive communities by assisting people to participate in social and economic life.

**ROLE:** **Provider**

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**SUMMARY OF REPORT:**

Council is in receipt of correspondence from the Australian Government Department of Health offering a funding agreement variation for the Continuity of Support (CoS) Program for the amount of \$30,061.54 (GST exclusive) for the 2019-2020 financial year.

Council has provided support for two Tweed residents under the Continuity of Support (CoS) Program for the last two years 2017-2019. Prior to this these, residents were receiving support through Council's state block funded disability programs that ceased on 30 June 2018 and have both been deemed ineligible for the new National Disability Insurance Scheme (NDIS). This funding has allowed Council to continue to provide the same level of service to the residents up to 30 June 2019.

**RECOMMENDATION:**

**That Council:**

1. **Accepts the funding variation extension of \$30,061.54 (GST exclusive) under the Continuity of Support (CoS) Program.**
2. **Includes the funding in its Budget to reflect the acceptance of the grant and associated expenditure.**
3. **Gives authority to the General Manager to accept and include and execute any variations in the budget any further extensions to the Continuity of Support Program.**
4. **ATTACHMENTS 1-3 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993 because it contains:**
  - (a) **personnel matters concerning particular individuals (other than councillors).**

## **REPORT:**

Council is in receipt of correspondence from the Australian Government Department of Health offering a funding agreement variation for the Continuity of Support (CoS) Program for the amount of \$30,061.54 (GST exclusive). This variation is to extend CoS funding through to 30 June 2020.

Council has provided support for two Tweed residents under the Continuity of Support (CoS) Program for the last two years. Prior to this, these two residents were receiving support through Council's State block funded disability programs that ceased on 30 June 2018 and have both been deemed ineligible for the new National Disability Insurance Scheme (NDIS). The CoS funding has allowed Council to continue to provide the same level of service for these residents up to 30 June 2019.

CoS was established to meet the Council of Australian Governments' (COAG) commitment that older people with disability who were receiving state-administered specialist disability services, but who are ineligible for the NDIS, would be provided with continuity of support.

The Commonwealth CoS Program is an ongoing, grandfathering program for older people with disability accessing state-administered services only. Once the NDIS completes its rollout in a region, there are no new entrants to the CoS Program and once all existing clients transition out, the program will cease.

Under the 2011 National Health Reform Agreement between the Commonwealth and States and Territories, the Commonwealth has held funding responsibility for this group of older people. Updated aged care and disability funding arrangements agreed to in the context of introducing the NDIS signal the Commonwealth's new administrative responsibility for these services and this cohort.

## **OPTIONS:**

1. That Council accepts the funding offer of \$30,061.54 (GST exclusive) and continues services for the two individual residents up to 30 June 2020.
2. That Council declines the funding and discontinues services immediately.

## **CONCLUSION:**

Continuity of Support (CoS) Program funding allows Council to continue to provide funded services to two eligible residents, currently receiving services, under the transitional arrangements of the CoS Program. CoS Program is an ongoing, grandfathering program for older people with disability accessing state-administered services only. The funding variation of \$30,061.54 (GST exclusive) and extension to 20 June 2020 allows services to continue for these two Tweed residents.

## **COUNCIL IMPLICATIONS:**

### **a. Policy:**

Corporate Policy Not Applicable.

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

Funded by Australian Government Department of Health.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Continuity of Support - Activity Work Plan (ECM 5931690)

*(Confidential)* Attachment 2. Continuity of Support - Funding Agreement Schedule (ECM 5931706)

*(Confidential)* Attachment 3. Continuity of Support - Funding Agreement Variation (ECM 5931691)

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**11 [SCE-CM] Deed of Variation Offer to an Existing Agreement for Commonwealth Home Support Program (CHSP)**

**SUBMITTED BY: Community and Cultural Services**

mhm



People, places and moving around

*Who we are and how we live*

- 3 People, places and moving around
- 3.1 People
- 3.1.3 Community Services - To build stronger, more inclusive communities by assisting people to participate in social and economic life.

**ROLE: Provider**

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**SUMMARY OF REPORT:**

Council is in receipt of correspondence from the Australian Government Department of Health offering a Deed of Variation in relation to an existing agreement for Commonwealth Home Support Program (CHSP) for additional funding for Goods, Equipment and Assisted Technology and Home Modification in the amount of \$53,628.98 (GST exclusive) for the 2019/2020 financial year.

Council has been providing services to over 330 people through the CHSP program. This program targets support towards frail older people (65 years and over or 50 years and over for Aboriginal and Torres Strait Islander people), to maximise their independence at home and in the community for as long as they choose, or are able, to do so.

**RECOMMENDATION:**

**That:**

- 1. Council accepts the variation to funding Commonwealth Home Support Program (CHSP)**
- 2. Council amends its Budget and Long Term Financial Plan to reflect the acceptance of the grant variation and associated expenditure of \$53,628.98.**
- 3. Council executes the document under the Common Seal of Council.**
- 4. Council gives authority to the General Manager to accept and include and execute any variations in the budget any further extensions to the Commonwealth Home Support Program.**



5. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (c) **information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

## **REPORT:**

Council is in receipt of correspondence from the Australian Government Department of Health offering a Deed of Variation in relation to an existing agreement for Commonwealth Home Support Program (CHSP) for additional funding for Goods, Equipment and Assisted Technology and Home Modification in the amount of \$53,628.98 (GST exclusive) for the 2019/2020 financial year.

Council has been providing services to over 330 people through the CHSP program. The various activities delivered through this program and Council's Community Services team include:

- Personal Care;
- Domestic Assistance;
- Transport;
- Allied Health and Therapy Services;
- Flexible Respite;
- Goods Equipment and Assistive Technology;
- Home Modifications;
- Meals;
- Social Support - Individual; Sector Support and Development.

CHSP funding allows Council to continue to provide services that target support towards eligible frail older people (65 years and over or 50 years and over for Aboriginal and Torres Strait Islander people). Council has provided these services for many years under the previous block funding model and now through My Aged Care as part of the changes made by the Australian Government to the aged care system to help older people maximise their independent at home and in the community for as long as they choose or are able to do so.

This variation will increase the funding in these two activities to \$133,900.66.

## **OPTIONS:**

1. Accept the variation and continue to support the community with these services.
2. Decline the variation and cease this type of support.

## **CONCLUSION:**

Commonwealth Home Support Program (CHSP) allows Council to continue to provide funding to eligible participants. Council has provided these services for many years under the previous block funding model and now through My Aged Care as part of the changes made by the Australian Government to the aged care system to help older people stay independent and in their homes and communities for longer. The funding variation and increase to existing activities of \$53,628.98 allows services to continue and extend to more participants.

## **COUNCIL IMPLICATIONS:**

### **a. Policy:**

Corporate Policy Not Applicable.

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

The increased grant funding variation of \$53,628.98 will cover additional costs.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Confidential Attachment Australian Government Department of Health Deed of Variation, Agreement and Activity Work Plan (ECM 175227340)

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

### 12 [FRIT-CM] Making the Rate 2019/2020

SUBMITTED BY: Revenue and Recovery

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, at its meeting of 20 June 2019, resolved to adopt the Delivery Program 2017/2021, Operational Plan 2019/2020; Revenue Policy and Statement 2019/2020, Budget 2019/2020, Fees and Charges 2019/2020 and Resourcing Strategy 2019 supporting the 2017/2027 Community Strategic Plan.

In accordance with the provisions of the *Local Government Act 1993* a rate or charge is made by resolution of Council, and each rate or charge is to be made for a specified year, being the year in which the rate or charge is made or the next year. Accordingly, a rate or charge must be made before 1 August in the year for which the rate or charge is made or before such later date in that year as the Minister may, if the Minister is of the opinion that there are special circumstances.

The basis of this report is the formal Making of the Rate and Charges for 2019/2020. However it should be noted that the running of the rate levy may result in a slight change to rates in the dollar. Councillors will be verbally advised at the Council meeting if this change eventuates.

#### RECOMMENDATION:

That:

- Council makes the 2019/2020 rates and charges in accordance with the provisions of sections 493, 494, 495, 495A, 496, 498, 501, 502, 506, 508A, 541, 548 and 553 of the Local Government Act 1993:**
  - Ordinary Rates (section 494, 498, 508A)**

**(i) Residential Rate**

A Residential Rate of .49190 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Residential with a minimum rate of one thousand and seventy four dollars and seventy cents (\$1,074.70) in respect of any separate parcel of rateable land.

**(ii) Farmland Rate**

A Farmland Rate of .34600 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Farmland with a minimum rate of one thousand and seventy four dollars and seventy cents (\$1,074.70) in respect of any separate parcel of rateable land.

**(iii) Business Rate**

A Business Rate of .51540 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Business with a minimum rate of one thousand and one hundred and eighty one dollars and forty cents (\$1,181.40) in respect of any separate parcel of rateable land.

**(b) Annual Charges (Section 495, 495A, 496, 501, 502 and 553)**

**(i) Sewerage Access Charge (Section 501)**

A sewerage access charge on the rateable land value of all applicable rateable land in the Tweed Shire Council area with an access charge of eight hundred and fifty four dollars and thirty five cents (\$854.35) in respect of any separate parcel of rateable land.

**Non-Residential and Non-Strata Multi-Residential Assessments - The minimum non-residential sewerage access charge will be \$854.35**

**The minimum non-residential sewerage access charge shall be equivalent to the residential sewerage access charge.**

**The non-residential sewerage access charge (SAC) for properties with a larger than 20mm water service shall be calculated in the same way as the water access charge:**

$$\text{Non-residential SAC (\$)} = \text{Residential SAC (\$)} \times R \times CF \times SDF$$

**Where:**

**R = Meter Ratio being the ratio of the water meter cross sectional area to that of a 20mm water meter's cross sectional area (See Table 1).**

**CF = Consumption Factor for the previous 12 months as displayed in Table 1 (The Consumption Factor has been introduced to acknowledge that the size of the water meter does not always reflect the volume of water used).**

**SDF = Sewer Discharge Factor: Percentage of the metered water consumption that is deemed to be discharged to the sewerage system.**

**Table 1. Consumption Factors**

Meter size (mm)	20	25	32	40	50	80	100	150	200	250	300
Meter Ratio (R)	1	1.56	2.56	4.0	6.25	16.0	25.0	56.25	100	156.25	225
Consumption Range (kL)	Consumption Factor (CF)										
0 - 290	1.000	0.640	0.391	0.250	0.160	0.063	0.040	0.018	0.010	0.006	0.004
291 - 454	1.000	1.000	0.610	0.391	0.250	0.980	0.063	0.028	0.016	0.010	0.007
455 - 743	1.000	1.000	1.000	0.640	0.410	0.160	0.102	0.046	0.026	0.016	0.011
744 - 1,160	1.000	1.000	1.000	1.000	0.640	0.250	0.160	0.071	0.040	0.026	0.018
1,161 - 1,814	1.000	1.000	1.000	1.000	1.000	0.391	0.250	0.111	0.063	0.040	0.028
1,815 - 4,640	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.284	0.160	0.102	0.071
4,641 - 7,250	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.444	0.250	0.160
7,251 - 16,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.563	0.360
16,315 - 29,000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.640
29,001 - 45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.694
Over 45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000

**Vacant assessments rated to sewerage – an access charge of \$854.35**

**(ii) Water Access Charge (Section 501)**

**Residential assessments – an access charge of \$176.55**

**Non-Residential and Non-Strata Multi-Residential Assessments - The minimum non-residential water access charge will be \$176.55**

**The non-residential water access charge (WAC) for properties with a larger than 20mm water service shall be calculated as shown below:**

**Non-residential WAC (\$) = Residential WAC (\$) x R x CF**

**Where:**

**R = Meter Ratio being the ratio of the water meter cross sectional area to that of a 20mm water meter’s cross sectional area (see Table 2).**

**CF = Consumption Factor for the previous 12 months as displayed in Table 2 (The Consumption Factor has been introduced to acknowledge that the size of the water meter does not always reflect the volume of water used).**

**Table 2. Consumption Factors**

Meter size (mm)	20	25	32	40	50	80	100	150	200	250	300
Meter Ratio (R)	1	1.56	2.56	4.0	6.25	16.0	25.0	56.25	100	156.25	225
Consumption Range (kL)	Consumption Factor (CF)										
0 - 290	1.000	0.640	0.391	0.250	0.160	0.063	0.040	0.018	0.010	0.006	0.004
291 - 454	1.000	1.000	0.610	0.391	0.250	0.980	0.063	0.028	0.016	0.010	0.007
455 - 743	1.000	1.000	1.000	0.640	0.410	0.160	0.102	0.046	0.026	0.016	0.011
744 - 1,160	1.000	1.000	1.000	1.000	0.640	0.250	0.160	0.071	0.040	0.026	0.018
1,161 - 1,814	1.000	1.000	1.000	1.000	1.000	0.391	0.250	0.111	0.063	0.040	0.028
1,815 - 4,640	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.284	0.160	0.102	0.071
4,641 - 7,250	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.444	0.250	0.160	0.111
7,251 - 16,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.563	0.360	0.250
16,315 - 29,000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.444
29,001 - 45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.694
Over 45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000

A volumetric charge of \$3.02 per kilolitre will apply for all consumption up to .8219kl per day based on the daily average over the billing period.

A high consumption volumetric charge of \$4.53 per kilolitre will apply for all consumption above .8219kl per day based on the daily average over the billing period.

Vacant assessments rated to water – an access charge of \$176.55

Properties will be levied the water access charge in accordance with the Local Government Act including the description of what land may be subject to the water access charge.

**(iii) Koala Beach Special Rate (Section 495)**

A Koala Beach Special Rate of .06960 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land:

Lot 1 DP 86409	Lot 62 DP 864094	Lot 216 DP 1033384	Lot 202 DP 1033384
Lot 2 DP 864093	Lot 63 DP 864094	Lot 217 DP 1033384	Lot 203 DP 1033384
Lot 3 DP 864093	Lot 64 DP 864094	Lot 218 DP 1033384	Lot 204 DP 1033384
Lot 4 DP 864093	Lot 65 DP 864094	Lot 219 DP 1033384	Lot 205 DP 1033384
Lot 5 DP 864093	Lot 66 DP 864094	Lot 220 DP 1033384	Lot 206 DP 1033384
Lot 6 DP 864093	Lot 67 DP 864094	Lot 221 DP 1033384	Lot 207 DP 1033384
Lot 7 DP 864093	Lot 68 DP 864094	Lot 222 DP 1033384	Lot 208 DP 1033384
Lot 8 DP 864093	Lot 69 DP 864094	Lot 223 DP 1033384	Lot 209 DP 1033384
Lot 9 DP 864093	Lot 70 DP 864094	Lot 224 DP 1033384	Lot 210 DP 1033384
Lot 10 DP 864093	Lot 71 DP 864094	Lot 225 DP 1033384	Lot 211 DP 1033384
Lot 11 DP 864093	Lot 72 DP 864094	Lot 226 DP 1033384	Lot 451 DP 1040725
Lot 12 DP 864093	Lot 73 DP 864094	Lot 227 DP 1033384	Lot 452 DP 1040725
Lot 13 DP 864093	Lot 74 DP 864094	Lot 228 DP 1033384	Lot 453 DP 1040725
Lot 16 DP 864093	Lot 75 DP 864094	Lot 229 DP 1033384	Lot 454 DP 1040725
Lot 17 DP 864093	Lot 76 DP 864094	Lot 230 DP 1033384	Lot 455 DP 1040725
Lot 18 DP 864093	Lot 77 DP 864094	Lot 231 DP 1033384	Lot 456 DP 1040725

Lot 19 DP 864093	Lot 78 DP 864094	Lot 232 DP 1033384	Lot 457 DP 1040725
Lot 20 DP 864093	Lot 79 DP 864094	Lot 233 DP 1033384	Lot 458 DP 1040725
Lot 21 DP 864093	Lot 80 DP 864094	Lot 234 DP 1033384	Lot 459 DP 1040725
Lot 30 DP 864094	Lot 81 DP 864094	Lot 235 DP 1033384	Lot 460 DP 1040725
Lot 31 DP 864094	Lot 82 DP 864094	Lot 236 DP 1033384	Lot 461 DP 1040725
Lot 32 DP 864094	Lot 83 DP 864094	Lot 237 DP 1033384	Lot 301 DP 1049060
Lot 33 DP 864094	Lot 84 DP 864094	Lot 238 DP 1033384	Lot 302 DP 1049060
Lot 34 DP 864094	Lot 85 DP 864094	Lot 239 DP 1033384	Lot 303 DP 1049060
Lot 35 DP 864094	Lot 86 DP 864094	Lot 240 DP 1033384	Lot 304 DP 1049060
Lot 36 DP 864094	Lot 87 DP 864094	Lot 241 DP 1033384	Lot 305 DP 1049060
Lot 37 DP 864094	Lot 88 DP 864094	Lot 242 DP 1033384	Lot 306 DP 1049060
Lot 38 DP 864094	Lot 91 DP 864094	Lot 243 DP 1033384	Lot 307 DP 1049060
Lot 39 DP 864094	Lot 92 DP 864095	Lot 244 DP 1033384	Lot 308 DP 1049060
Lot 40 DP 864094	Lot 93 DP 864095	Lot 245 DP 1033384	Lot 309 DP 1049060
Lot 41 DP 864094	Lot 94 DP 864095	Lot 246 DP 1033384	Lot 310 DP 1049060
Lot 42 DP 864094	Lot 95 DP 864095	Lot 247 DP 1033384	Lot 311 DP 1049060
Lot 43 DP 864094	Lot 96 DP 864095	Lot 248 DP 1033384	Lot 312 DP 1049060
Lot 44 DP 864094	Lot 97 DP 864095	Lot 249 DP 1033384	Lot 313 DP 1049060
Lot 45 DP 864094	Lot 98 DP 864095	Lot 250 DP 1033384	Lot 314 DP 1049060
Lot 46 DP 864094	Lot 99 DP 864095	Lot 251 DP 1033384	Lot 315 DP 1049060
Lot 47 DP 864094	Lot 100 DP 864095	Lot 252 DP 1033384	Lot 316 DP 1049060
Lot 48 DP 864094	Lot 101 DP 864095	Lot 253 DP 1033384	Lot 317 DP 1049060
Lot 49 DP 864094	Lot 14 DP 870694	Lot 254 DP 1033384	Lot 318 DP 1049060
Lot 50 DP 864094	Lot 15 DP 870694	Lot 255 DP 1033384	Lot 319 DP 1049060
Lot 51 DP 864094	Lot 22 DP 870695	Lot 256 DP 1033384	Lot 320 DP 1049060
Lot 52 DP 864094	Lot 23 DP 870695	Lot 257 DP 1033384	Lot 321 DP 1049060
Lot 53 DP 864094	Lot 24 DP 870695	Lot 258 DP 1033384	Lot 322 DP 1049060
Lot 54 DP 864094	Lot 25 DP 870695	Lot 259 DP 1033384	Lot 323 DP 1049060
Lot 55 DP 864094	Lot 26 DP 870695	Lot 260 DP 1033384	Lot 324 DP 1049060
Lot 56 DP 864094	Lot 27 DP 870695	Lot 261 DP 1033384	Lot 325 DP 1049060
Lot 57 DP 864094	Lot 28 DP 870695	Lot 262 DP 1033384	Lot 326 DP 1049060
Lot 58 DP 864094	Lot 29 DP 870695	Lot 263 DP 1033384	Lot 327 DP 1049060
Lot 59 DP 864094	Lot 213 DP 1033384	Lot 264 DP 1033384	Lot 328 DP 1049060
Lot 60 DP 864094	Lot 214 DP 1033384	Lot 265 DP 1033384	Lot 329 DP 1049060
Lot 61 DP 864094	Lot 215 DP 1033384	Lot 201 DP 1033384	Lot 330 DP 1049060
Lot 331 DP 1049060	LOT 396 DP 1052083	Lot 516 DP 1068516	Lot 569 DP 1076975
Lot 332 DP 1049060	Lot 397 DP 1052083	Lot 519 DP 1076975	Lot 570 DP 1076975
Lot 333 DP 1049060	Lot 398 DP 1052083	Lot 520 DP 1076975	Lot 571 DP 1076975
Lot 334 DP 1049060	Lot 399 DP 1052083	Lot 521 DP 1076975	Lot 572 DP 1076975
Lot 335 DP 1049060	Lot 400 DP 1052083	Lot 522 DP 1076975	Lot 573 DP 1076975
Lot 336 DP 1049060	Lot 401 DP 1052083	Lot 523 DP 1076975	Lot 574 DP 1076975
Lot 338 DP 1049060	Lot 402 DP 1052083	Lot 524 DP 1076975	Lot 575 DP 1076975
Lot 340 DP 1049061	Lot 403 DP 1052083	Lot 525 DP 1076975	Lot 576 DP 1076975
Lot 342 DP 1049061	Lot 404 DP 1052083	Lot 526 DP 1076975	Lot 577 DP 1076975
Lot 343 DP 1049061	Lot 405 DP 1052083	Lot 527 DP 1076975	Lot 578 DP 1076975
Lot 344 DP 1049061	Lot 406 DP 1052083	Lot 528 DP 1076975	Lot 579 DP 1076975



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Lot 346 DP 1049061	Lot 407 DP 1052083	Lot 529 DP 1076975	Lot 580 DP 1076975
Lot 347 DP 1049061	Lot 408 DP 1052083	Lot 530 DP 1076975	Lot 581 DP 1076975
Lot 348 DP 1049061	Lot 409 DP 1052083	Lot 531 DP 1076975	Lot 582 DP 1076975
Lot 349 DP 1049061	Lot 410 DP 1052083	Lot 532 DP 1076975	Lot 583 DP 1076975
Lot 350 DP 1049061	Lot 411 DP 1052083	Lot 534 DP 1076975	Lot 584 DP 1076975
Lot 351 DP 1049061	Lot 412 DP 1052083	Lot 535 DP 1076975	Lot 585 DP 1076975
Lot 352 DP 1049061	Lot 413 DP 1052083	Lot 536 DP 1076975	Lot 586 DP 1076975
Lot 353 DP 1049061	Lot 414 DP 1052083	Lot 537 DP 1076975	Lot 587 DP 1076975
Lot 354 DP 1049061	Lot 415 DP 1052083	Lot 538 DP 1076975	Lot 588 DP 1076975
Lot 355 DP 1049061	Lot 416 DP 1052083	Lot 539 DP 1076975	Lot 589 DP 1076975
Lot 356 DP 1049061	Lot 417 DP 1052083	Lot 540 DP 1076975	Lot 590 DP 1076975
Lot 357 DP 1049061	Lot 418 DP 1052083	Lot 541 DP 1076975	Lot 591 DP 1076975
Lot 339 DP 1052080	LOT 419 DP 1052083	Lot 542 DP 1076975	Lot 592 DP 1076975
Lot 370 DP 1052082	LOT 420 DP 1052083	Lot 543 DP 1076975	Lot 593 DP 1076975
Lot 371 DP 1052082	Lot 421 DP 1052083	Lot 544 DP 1076975	Lot 594 DP 1076975
Lot 372 DP 1052082	Lot 422 DP 1052083	Lot 545 DP 1076975	Lot 595 DP 1076975
Lot 373 DP 1052082	Lot 423 DP 1052083	Lot 546 DP 1076975	Lot 596 DP 1076975
Lot 374 DP 1052082	Lot 424 DP 1052083	Lot 547 DP 1076975	Lot 597 DP 1076975
Lot 375 DP 1052082	Lot 425 DP 1052083	Lot 548 DP 1076975	Lot 598 DP 1076975
Lot 376 DP 1052082	Lot 426 DP 1052083	Lot 549 DP 1076975	Lot 599 DP 1076975
Lot 377 DP 1052082	Lot 90 DP 864094	Lot 550 DP 1076975	Lot 600 DP 1076975
Lot 378 DP 1052082	Lot 89 DP 864094	Lot 551 DP 1076975	Lot 601 DP 1076975
Lot 379 DP 1052082	Lot 212 DP 1033384	Lot 552 DP 1076975	Lot 602 DP 1076975
Lot 380 DP 1052082	Lot 200 DP 1033384	Lot 553 DP 1076975	Lot 603 DP 1076975
Lot 381 DP 1052082	Lot 501 DP 1068516	Lot 554 DP 1076975	Lot 604 DP 1076975
Lot 382 DP 1052082	Lot 502 DP 1068516	Lot 555 DP 1076975	Lot 605 DP 1076975
Lot 383 DP 1052082	Lot 503 DP 1068516	Lot 556 DP 1076975	Lot 606 DP 1076975
Lot 384 DP 1052082	Lot 504 DP 1068516	Lot 557 DP 1076975	Lot 607 DP 1076975
Lot 385 DP 1052082	Lot 505 DP 1068516	Lot 558 DP 1076975	Lot 608 DP 1076975
Lot 386 DP 1052082	Lot 506 DP 1068516	Lot 559 DP 1076975	Lot 739 DP 1076973
Lot 387 DP 1052082	Lot 507 DP 1068516	Lot 560 DP 1076975	Lot 919 DP 1077493
Lot 388 DP 1052082	Lot 508 DP 1068516	Lot 561 DP 1076975	Lot 610 DP 1077500
Lot 389 DP 1052082	Lot 509 DP 1068516	Lot 562 DP 1076975	Lot 611 DP 1077500
Lot 390 DP 1052082	Lot 510 DP 1068516	Lot 563 DP 1076975	Lot 612 DP 1077500
Lot 391 DP 1052082	Lot 511 DP 1068516	Lot 564 DP 1076975	Lot 613 DP 1077500
Lot 392 DP 1052082	Lot 512 DP 1068516	Lot 565 DP 1076975	Lot 614 DP 1077500
Lot 393 DP 1052083	Lot 513 DP 1068516	Lot 566 DP 1076975	Lot 615 DP 1077500
Lot 394 DP 1052083	Lot 514 DP 1068516	Lot 567 DP 1076975	Lot 616 DP 1077500
Lot 395 DP 1052083	Lot 515 DP 1068516	Lot 568 DP 1076975	Lot 617 DP 1077500

**(iv) Cobaki Environmental Special Rate (Section 495)**

A Cobaki Environmental Special Rate of 1.0740 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land:

**Lot 54 DP 755740**

Lot 55 DP 755740  
Lot 1 DP 570076  
Lot 46 DP 755740  
Lot 200 DP 755740  
Lot 201 DP 755740  
Lot 202 DP 755740  
Lot 205 DP 755740  
Lot 206 DP 755740  
Lot 209 DP 755740  
Part Lot 199 DP 755740  
Lot 228 DP 755740  
Lot 2 DP 566529  
Part Lot 199 DP 755740  
Lot 1 DP 562222  
Lot 1 DP 570077  
Lot 305 DP 755740  
Lot 1 DP 823679  
Lot 1 DP 1169394

**(v) Domestic Waste Management Annual Charge (Section 496)**

A Domestic Waste Management Annual Charge for all land within the declared domestic waste scavenging area, maps of which are available from Council's Waste Management Unit. An annual charge of sixty nine dollars and eighty cents (\$69.80) in respect of any applicable land within the declared domestic waste scavenging area.

**(vi) Domestic Waste Service Annual Charge (Section 496)**

In 2019/2020 the Domestic Waste Management Service Charge for the standard 140L garbage bin weekly collection will be two hundred and sixty eight dollars and eighty cents (\$268.80) per annum per service. As part of the new bin system, the 140L garbage bin fortnightly collection will be the predominant service for residential rated properties within the urban footprint at a cost of one hundred and ninety two dollars and ninety cents (\$192.90) per annum per service. Residents may choose to have either a larger or smaller bin with the charge for each listed in the table below in respect of any applicable serviced land within the declared domestic waste scavenging area.

<b>Service Type</b>	<b>Charge</b>
80 litre fortnightly waste service	\$161.40
140 litre fortnightly waste service	\$192.90
240 litre fortnightly waste service	\$241.60
80 litre weekly service	\$205.90
140 litre weekly service	\$268.80
240 litre weekly service	\$318.50

**(vii) Landfill Management Charge (Section 501)**

**A Landfill Management Annual Charge for all rateable land within the boundary of the Tweed Shire. An annual charge of fifty four dollars (\$54.00) in respect of all rateable land within the boundary of the Tweed Shire.**

**(viii) Domestic Waste Service Organic Collection Charge (Section 496)**

**In 2019/20 Council will be providing a weekly collection service for household organics including food waste. This service will be part of the compulsory suite of services provided to residential properties within the urban footprint. The service will not however be compulsory to Multi Unit development where there are more than two titles on the site. The charge in 2019/20 related to the collection of the organics bin and the processing of this waste to produce a value added compost material is ninety two dollars (\$92.00) per bin for a 240 litre weekly service. Additional organics waste collection service will be available to domestic multi-unit properties at a charge of ninety two dollars (\$92.00) per annum for a weekly service.**

**(ix) Waste Minimisation and Recycling Annual Charge (Section 496)**

**A Waste Minimisation and Recycling Annual Charge for all land within the declared domestic waste scavenging area, maps of which are available from Council's Waste Management Unit. An annual charge of eighty two dollars (\$82.00) in respect of any applicable land within the declared domestic waste scavenging area.**

- 2. In accordance with section 566(3) of the Local Government Act 1993 that the maximum rate of interest payable on overdue rates and charges be 7.5% pa.**

## REPORT:

Council, at its meeting of 20 June 2019, resolved to adopt the Delivery Program 2017/2021, Operational Plan 2019/2020; Revenue Policy and Statement 2019/2020, Budget 2019/2020, Fees and Charges 2019/2020 and Resourcing Strategy 2019 supporting the 2017/2027 Community Strategic Plan. Council is now required to make the rate for 2019/2020.

In accordance with the provisions of the Local Government Act 1993 a rate or charge is made by resolution of Council, and each rate or charge is to be made for a specified year, being the year in which the rate or charge is made or the next year. Accordingly, a rate or charge must be made before 1 August in the year for which the rate or charge is made or before such later date in that year as the Minister may, if the Minister is of the opinion that there are special circumstances, allow.

The basis of this report is the formal Making of the Rate and Charges for 2019/2020.

## OPTIONS:

Not Applicable.

## CONCLUSION:

After the adoption of the Revenue Policy and Statement 2019/2020, Council is now required to make the rate for 2019/2020.

## COUNCIL IMPLICATIONS:

### a. Policy:

Corporate Policy Not Applicable

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

The current number of rateable properties as at 1 July 2019 for ordinary rates is:

Residential	37,341
Business	1,846
Farmland	1,465
<b>Total</b>	<b>40,652</b>

The minimum rates are as follows:

	<b>Residential</b>	<b>Farmland</b>	<b>Business</b>
Ordinary rate	\$1,074.70	\$1,074.70	\$1,181.40
Sewerage charge	\$854.35	\$854.35	\$854.35
Water Access Charge	\$176.55	\$176.55	\$176.55
Garbage Service Charge 140l	\$436.70	\$420.60	\$473.70
Landfill Management Charge	\$54.00	\$54.00	\$54.00
<b>Total</b>	<b>\$2,596.30</b>	<b>\$2,580.20</b>	<b>\$2,740.00</b>

The rates and charges income is included in the 2019/2020 Budget and Long Term Financial Plan.

Note:

The ad valorem rate in the dollar for Residential, Farmland and Business rate categories presented in this report have increased slightly compared to the amount included in the 2019/2020 Revenue Policy and Statement, although the minimum rate has remained unchanged. The change in the ad valorem rates is due to changes in property status, the revaluation process, supplementary valuation additions, the land valuation objections and the finalisation of postponed rate proportion of valuation.

**c. Legal:**

Rates Levied in accordance with the Local Government Act 1993, Sections:

- 493 Categories of ordinary rates and categories of land
- 494 Ordinary rates must be made and levied annually
- 495 Making and levying of special rates
- 495A Strata Lots and company titles taken to be separate parcels of land for annual charges
- 496 Making and levying of annual charges for domestic waste management services
- 498 The ad valorem amount
- 501 For what services can a Council impose an annual charge?
- 502 Charges for actual use
- 506 Variation of general income
- 508A Special variation over a period of years
- 541 Differing amounts for a charge
- 548 Minimum amounts
- 553 Time at which land becomes subject to special rate or charge
- 566 Accrual of interest on overdue rates and charges

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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13 [FRIT-CM] Loan to Tweed Heads Seagulls RLFC

SUBMITTED BY: Financial Services

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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
- 2.2.5 Financial Services - To collect and manage Council funds and provide information and advice to support sound financial decision making.
- 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:** Collaborator

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**SUMMARY OF REPORT:**

Tweed Heads Seagulls RLFC is a local elite sporting organisation that leases the Piggabeen Sports Complex from Council.

The Club has requested a loan of \$200,000 from Council to address a shortfall in funds for the construction of a multi-purpose facility.

It is recommended that Council approve the execution of a Deed of Grant under the Common Seal of Council for the requested loan.

**RECOMMENDATION:**

**That Council approves:**

1. **Entering into a Deed with Tweed Heads Seagulls RLFC for an interest free loan up to a maximum of \$200,000 with a repayment term of ten years; and**
2. **The execution of all necessary documentation under the Common Seal of Council.**

## REPORT:

Tweed Heads Seagulls RLFC Ltd. (ACN: 106 910 203 and ABN: 53 106 910 203) is an Australian public company limited by guarantee and regulated by the Australian Securities & Investments Commission (ASIC).

The Club was established in 1908 and has four football grades: First Grade, A-Grade, under 20s 'Colts' and under 18s.

The Club is based at Piggabeen Sports Complex in Tweed Heads West, which they have recently signed a five year "priority allocation" licence agreement.

The First Grade team play in the Queensland State Cup (Intrust Super Cup) competition. Seagulls is an NRL affiliate feeder club to the Gold Coast Titans NRL Club. They have a close partnership with the Tweed Heads Seagulls Juniors Club and provide pathways for adults and juniors from the local region into the NRL system.

*The Seagulls web site contains the following quote:*

*"Everyone needs a good home and we are committed to playing at Piggabeen Sports Complex for the duration of this plan and beyond. However, great players need great facilities and one of our priority objectives is to turn Piggabeen into a leading regional sporting facility. We have already commenced work with key partners including, Tweed Shire Council to achieve this."*

A major part of achieving this aim as well as supporting the introduction of a Women's Rugby League team, is the construction of a multi-purpose facility which includes two female (priority) change rooms, gymnasium, storerooms, public and disabled toilets.

The cost to build this facility has been quoted at \$561,754. The club has secured grant funding of \$400,000 toward the facility and have now requested a ten year interest free loan from Council for \$200,000 to cover the shortfall and to allow for contingencies.

The Club have provided staff with financial statements and other relevant information to show that they will be able to repay the loan that has been requested.

It is estimated that the cost to Council of providing this requested loan (compounding interest that could have been earned had these funds been invested) over the full ten year period would be in the vicinity of \$96,000.

As the property is owned by Council, this would mean that Council is effectively gaining an asset worth around \$560,000 at a cost of approximately \$96,000.

The request is similar to the interest free loans previously granted to Tennis Terranora Inc. and SALT Surf Lifesaving Club by entering into formal loan agreements that document the loan amount and repayment terms.

This loan request was considered at a meeting of the Sports Advisory Committee of 24 June 2019 with unanimous endorsement to support the request.

**OPTIONS:**

1. To approve the execution of a Deed of Grant to formalise the requested loan; or
2. To not approve the execution of the Deed of Grant to formalise the requested loan.

**CONCLUSION:**

It is recommended that Council approve the execution of a Deed of Grant under the Common Seal of Council to formalise a loan to the value of the shortfall between the cost of the facility and the amount of grant funding received up to a maximum of \$200,000.

It is proposed that the loan be repaid over a period of ten years, and that the documentation provides that full repayment will be required in certain circumstances. These circumstances include, but are not limited to when the club is no longer based at the Piggabeen Sports Complex or if the club is in breach of their lease and such breach results in the termination of the lease.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

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

The proposed loan amount is not included in the 2019/2020 budget.

If Council were to support this proposal it is recommended that the funding be provided from the Community Facilities Reserve.

It is estimated that the opportunity cost of providing the full \$200,000 loan over ten years is approximately \$96,000.

**c. Legal:**

Adequate safeguards will need to be included in the Deed of Grant to ensure the full satisfaction of this loan.

**d. Communication/Engagement:**

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- |               |  |
|---------------|--|
| Attachment 1. | Letter dated 8 May 2019 from Tweed Heads Seagulls RLFC (ECM 5906464).                          |
| Attachment 2. | Tweed Heads Seagulls Strategic Plan – 2017-2022 (ECM 5925217).                                 |
| Attachment 3. | Seagull Supports Tweed - 2018-2019 Tweed Heads Seagulls Community Strategic Plan (ECM5925225). |
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## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

### 14 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 30 May 2019

SUBMITTED BY: Roads and Stormwater

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
- 3.3 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 Thursday 30 May 2019 are reproduced in the body of this report for the information of Councillors.

#### RECOMMENDATION:

That:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 30 May 2019 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

**BA1 [LTC] Winders Place, Banora Point**

***That:***

1. ***“Yellow no stopping” edge lines be installed on Winders Place at the intersections of Minerva Court and Liberty Place to reinforce the rule regarding no stopping within 10m of an intersection.***
2. ***Council writes to the school advising that parking spaces on site should only be reserved for Staff if the minimum provision for customers is exceeded.***
3. ***The request for time limited parking is not supported as this is generally used to promote the turnover of vehicles at high demand CBD areas.***

4. The request for a yellow edge line on one side of the cul-de-sacs of Minerva Court and Liberty Place is not supported as officer observations confirm that a 3m gap is maintained and vehicles are able to access the cul-de-sac.

**AA1 [LTC] Kyogle Road, Dum Dum**

*That the overtaking lane on Kyogle Road at Glenock Road be reduced to an approximate length of 250m terminating before the curve heading towards Murwillumbah.*

**A1 [LTC] Mooball Street and Queensland Road, Murwillumbah**

*That:*

1. *The existing "Stop" signs on Mooball Street at the intersection of Queensland Road be replaced with "Give Way" sign and the line marking be modified accordingly.*
2. *"Give Way Ahead" signs be installed on Mooball Street in advance of Queensland Road.*

**A2 [LTC] Tweed Valley Way, South Murwillumbah**

*That "no stopping yellow edge lines" be installed on Tweed Valley Way 6m both sides of the driveways of the IGA/McDonalds Murwillumbah.*

**A3 [LTC] Splendour in the Grass 17 - 22 July 2019**

*That the submitted Traffic Control Plans for Splendour in the Grass 17 to 22 July 2019 be supported subject to:*

1. *Additional way finding signage being installed at Gate E to direct motorists to Tweed Valley Way for north bound drivers.*
2. *The Traffic Control Plans be amended to acknowledge the existing 80km/h speed limit on Wooyung Road and to also review the length of the 40km/h approaches.*

**A4 [LTC] Pottsville Beach Public School - Tweed Coast Road**

*That:*

1. *The installation of a physical barrier to prevent a right hand turn into the drop off zone from Cudgera Avenue is not supported as this issue should be addressed internally by the school through its newsletter or other media.*
2. *The 'No Stopping' zone on Cudgera Avenue adjacent to the school's playground be reduced and replaced with 'No Parking' signage from the entrance of the pick-up and drop off zone for approximately 40m and be*

*monitored in relation to potential hazards for vehicles exiting the roundabout onto Cudgera Avenue.*

- 3. The bus zone on Tweed Coast Road be reduced in line with the pavement markings and be replaced with 'No Parking - School Zone' signage subject to consultation with the bus companies.*

**A5 [LTC] Casuarina Way, Casuarina**

*That the indented bus bays on Casuarina Way near the intersection of Sterculia Court be signposted as a bus zone during hours of bus usage, as advised by the bus operator.*

**A6 [LTC] Solander Street and Keith Compton Drive, Tweed Heads**

*That a continuity line be installed on Keith Compton Drive over the intersection with Solander Street.*

**A7 [LTC] Cycle for Life Social Cycle Event - 28 July 2019**

*That the proposed Cycle for Life Social Cycle event to be held on 28 July 2019 be supported, subject to:*

- 1. NSW Police approval being obtained.*
- 2. Traffic Management Plan and associated Traffic Control Plans be submitted to Council officers a minimum of 4 weeks prior to the event.*
- 3. Conformance with Traffic Management Plan and associated Traffic Control Plans to be implemented and controlled by Roads & Maritime Services accredited persons.*
- 4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.*
- 5. 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.*
- 6. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.*
- 7. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.*
- 8. Adequate public liability insurance being held by the event organiser.*
- 9. 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.*
- 10. Consultation with emergency services and any identified issues addressed.*
- 11. Arrangements made for private property access and egress affected by the event.*
- 12. 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.*

13. *The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.*
14. *The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.*
15. *A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.*

**A8 [LTC] Tour de Tweed - 8 to 11 August 2019**

*That the proposed Tour de Tweed to be held on 8 to 11 August 2019 be supported, subject to:*

1. *NSW Police approval being obtained.*
2. *Endorsement of the event by Cycling Queensland or Bicycle NSW.*
3. *Traffic Management Plan and associated Traffic Control Plans be submitted to Council officers a minimum of 4 weeks prior to the event.*
4. *Conformance with Traffic Management Plan and associated Traffic Control Plans to be implemented and controlled by Roads & Maritime Services accredited persons.*
5. *Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.*
6. *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.*
7. *The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.*
8. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.*
9. *Adequate public liability insurance being held by the event organiser.*
10. *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.*
11. *Consultation with emergency services and any identified issues addressed.*
12. *Arrangements made for private property access and egress affected by the event.*
13. *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.*
14. *The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.*
15. *The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic*

*Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.*

- 16. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.*
- 17. The road closures in Tyalgum must be done in consultation with the school bus operator, Singh's Bus and the school.*
- 18. The road closures in Murwillumbah on Tumbulgum Road and Wharf Street be reduced in length to allow access to the multi level car park, pool and auditorium.*
- 19. Evidence of consultation with affected residents in the Boundary Street area be submitted to Council at least one month prior to the event being held.*

**A9 [LTC] Charles Street, Tweed Heads**

*That a yellow 'No Stopping' edge line be installed on Charles Street, Tweed Heads on the inside of the curve opposite Sellicks Lane.*

**REPORT:**

The Minutes of the Local Traffic Committee Meeting held Thursday 30 May 2019 are reproduced below for the information of Councillors.

**VENUE:**

Mt Warning Meeting Room

**TIME:**

Commencing at 9.30am

**PRESENT:**

**Committee Members:** Cr James Owen, , Ms Katherine Boulton, Roads and Maritime Services of NSW, Mr Col Brooks on behalf of Ms Janelle Saffin MP, Member for Lismore, Jennifer Brinsmead on behalf of Mr Geoff Provest MP, Member for Tweed.

**Informal:** Mr Ray Clark (Chairman), Cr Chris Cherry, Miss Alana Brooks, Mr Shane Davidson, Ms Judith Finch (Minutes Secretary).

**APOLOGIES:**

Snr Constable Chris Davis, NSW Police, Ms Janelle Saffin MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed, Mr Rod Bates, Ms Linda Makejeev, Roads and Maritime services of NSW.

**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MIN1 [LTC-MIN] Confirmation of Previous Minutes Meeting held 2 May 2019**

**ORIGIN:**

**Roads & Stormwater**

**RESOLVED** that the Minutes of the Local Traffic Committee Meeting held 2 May 2019 be adopted as a true and accurate record of proceedings of that meeting.

**SCHEDULE OF OUTSTANDING RESOLUTIONS**

**SCH1 [LTC-SOR] Schedule of Outstanding Resolutions 30 May 2019**

**From Meeting held 28 February 2019**

**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:**

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 volume 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.

## **COMMITTEE ADVICE:**

**That:**

- 1. Traffic surveys be carried out on Bakers Road, Byangum to determine the extent of heavy vehicle use and these surveys be brought back to the Committee upon completion.**
- 2. Bakers Road, Byangum be added to the Schedule of Outstanding Resolutions.**

**Current Status:** *That Bakers Road Byangum (B1) from Local Traffic Committee meeting held 2 May 2019 remain on the list of Outstanding Resolutions.*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 28 February 2019 (Item B1).)*

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**B9 [LTC] Kyogle Road, Dum Dum**

**ORIGIN:**  
**Roads & Stormwater**

This item was moved to Section A at the request of the Chairman - Item AA1 refers.

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**B4 [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 2 May 2019 remain on the list of Outstanding Resolutions.*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 2May 2019 (Item B4).*

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## **BUSINESS ARISING**

### **BA1 [LTC] Winders Place, Banora Point**

**ORIGIN:**  
**Roads & Stormwater**

**FILE NO:** ECM 5906324; Traffic - Committee; Parking Zones; School Zones; Linemarking; St Joseph's College; Winders Place; Minerva Court; Liberty Place; Doyle Drive

### **SUMMARY OF REPORT:**

#### **Applicant's Information:**

This item was addressed at the Local Traffic Committee meeting held 28 February 2019 with the following Committee Advice:

*"That:*

- 1. Installing time limited parking on residential streets such as Winders Place and Minerva Court, Banora Point would mean that residents and their visitors would also be time limited when parking adjacent to their house. Generally, time limited parking is not supported in residential areas.*
- 2. Parking inspectors are requested to include the Winders Place and Minerva Court precinct in their regular patrols.*
- 3. Council trials the partial removal of the concrete centre median on Doyle Avenue to allow vehicles to turn right from the public car park onto Doyle Avenue."*

#### **Officer's Comment:**

Council officers attended a public meeting on Friday 24 May 2019 at Winders Place to receive residents' concerns in relation to students from St Josephs College parking in Winders Place during school times. The residents were informed that council previously did not support time limited parking in Winders Place, however the consensus was that they wanted the time limited parking reviewed.

The residents also requested that yellow "No Stopping" lines be placed on Winders Place at the intersections to reinforce that drivers should not park within 10m of the intersection. They also requested that a yellow edge line be installed on one side of the cul-de-sacs Minerva Court and Liberty Place.

The residents were also advised that to encourage students to park in the off-street car park in Doyle Drive, that council would remove a section of the centre median to enable right turns out of the car park. However, a sight inspection on the day of the resident meeting indicated that the onsite school car park was not being utilised to its best ability, due to spaces being reserved for teachers only. The inspections showed that there were 40 spaces vacant.

**RECOMMENDATION TO COUNCIL:**

**That:**

1. “Yellow no stopping” edge lines be installed on Winders Place at the intersections of Minerva Court and Liberty Place to reinforce the rule regarding no stopping within 10m of an intersection.
2. Council writes to the school advising that parking spaces on site should only be reserved for Staff if the minimum provision for customers is exceeded.
3. The request for time limited parking is not supported as this is generally used to promote the turnover of vehicles at high demand CBD areas.
4. The request for a yellow edge line on one side of the cul-de-sacs of Minerva Court and Liberty Place is not supported as officer observations confirm that a 3m gap is maintained and vehicles are able to access the cul-de-sac.

*FOR VOTE - Cr James Owen, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed.*

**A. FORMAL ITEMS SECTION**

**DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH**

**AA1 [LTC] Kyogle Road, Dum Dum**

**ORIGIN:**

**Roads & Stormwater**

FILE NO: ECM5855165; Traffic Committee; Roads Safety Audit; Kyogle Road, Dum Dum; Glenock Road

**SUMMARY OF REPORT:**

**Applicant's Information:**

There have been two crashes in the last few months on Kyogle Road, on the curve 250m north of Glenock Road, Dum Dum. There was also a fatal crash at this location in 2011. A road safety evaluation of Kyogle Road recommended removing or reducing the overtaking lane at this location as it ends on a curve, which may be contributing to the crashes. Reducing the overtaking lane so it ends before the curve, will result in the length being shorter than RMS guidelines.

**Officer's Comment:**

That the overtaking lane be discussed at the meeting.

The RMS advised that they would abstain from voting on this issue due to the proposed reduction in lane length is not within the recommendations from the AustRoads Guide. A concept plan will be brought to a future LTC meeting.

The Chairperson requested that this item be added to the Schedule of Outstanding Resolutions.

**From meeting held 30 May 2019:**

The Committee reviewed concept plans to reduce the overtaking lane and given the safety benefits of the proposal the RMS supported the proposal as outlined in the concept plans.

The Chairman requested that this item be moved to the A Section of the Minutes.

**RECOMMENDATION TO COUNCIL:**

**That the overtaking lane on Kyogle Road at Glenock Road be reduced to an approximate length of 250m terminating before the curve heading towards Murwillumbah.**

***FOR VOTE - Cr James Owen, Mr Col Brooks on behalf of Ms Janelle Saffin, MP Member for Lismore, Ms Katherine Boulton, Roads & Maritime Services***

**A1 [LTC] Mooball Street and Queensland Road, Murwillumbah**

**ORIGIN:**  
**Roads & Stormwater**

FILE NO: ECM5887791; Traffic - Committee; Directional Signs; Linemarking; Mooball Street; Queensland Road, Murwillumbah

**SUMMARY OF REPORT:**

**Applicant's Information:**  
Not applicable.

**Officer's Comment:**

It has been brought to officer's attention that the existing "Stop" signs at the intersection of Mooball Street and Queensland Road have very low compliance.

The sight distance at the intersection does not warrant "Stop" signs and it is put forward that the signage be changed to "Give Way" signs.

However, there was a crash at the intersection recently where a vehicle failed to give way to the right. It is also recommended that "Give Way Ahead" signs also be installed.

**RECOMMENDATION TO COUNCIL:**

**That:**

- 1. The existing "Stop" signs on Mooball Street at the intersection of Queensland Road be replaced with "Give Way" sign and the line marking be modified accordingly.**
  - 2. "Give Way Ahead" signs be installed on Mooball Street in advance of Queensland Road.**
-

**FOR VOTE - Cr James Owen, Mr Col Brooks on behalf of Ms Janelle Saffin, MP Member for Lismore, Ms Katherine Boulton, Roads & Maritime Services**

**A2 [LTC] Tweed Valley Way, South Murwillumbah**

**ORIGIN:**  
**Roads & Stormwater**

FILE NO: ECM5831068; Traffic - Committee; Parking Zones; Signs - Traffic Issues; Prop 108920; Tweed Valley Way, South Murwillumbah

**SUMMARY OF REPORT:**

**Applicant's Information:**

A complaint has been received about the dangers of exiting the car park from IGA and McDonald's on Tweed Valley Way.

Cars often park on the roadside instead of the car park blocking your view to oncoming traffic down Tweed Valley Way. I have had a few near misses and it is only time before an accident does occur.

Is council able to erect "no parking" signs in this location or extend the bus stop parking/loading so that cars do not stop there.

**Officer's Comment:**

While generally drivers are expected to exit driveways in a safe manner in recognition of sight distance and traffic volumes, due to the number of complaints received at this location, the volume of traffic using the driveways and the volumes on Tweed Valley Way, the installation of "yellow no stopping edge lines" could be supported in this instance adjacent to the driveways.

**RECOMMENDATION TO COUNCIL:**

**That "no stopping yellow edge lines" be installed on Tweed Valley Way 6m both sides of the driveways of the IGA/McDonalds Murwillumbah.**

**FOR VOTE - Cr James Owen, Mr Col Brooks on behalf of Ms Janelle Saffin, MP Member for Lismore, Ms Katherine Boulton, Roads & Maritime Services**

**A3 [LTC] Splendour in the Grass 17 - 22 July 2019**

**ORIGIN:**  
**Roads & Stormwater**

FILE NO: ECM5875837; Traffic - Committee; Festivals/Events; Signs - Traffic Issues; Traffic Control Plans; Tweed Valley Way, Crabbes Creek, Wooyung Road, Wooyung Road, Wooyung Road, Crabbes Creek

## **SUMMARY OF REPORT:**

### **Applicant's Information:**

Traffic Control Plans have been received for Splendour in the Grass 2019 which only detail the Local Government Area for Tweed. The applicant advises that Police have agreed to enforce the 'No Stopping' zone.

### **Officer's Comment:**

Previously Council did not support the installation of 'No Stopping' zones on Wooyung Road as there was no safety reason for their installation and there was reasonable risk that enforcement of these signs would create demands on Council's resources.

## **RECOMMENDATION TO COUNCIL:**

**That the submitted Traffic Control Plans for Splendour in the Grass 17 to 22 July 2019 be supported subject to:**

- 1. Additional way finding signage being installed at Gate E to direct motorists to Tweed Valley Way for north bound drivers.**
- 2. The Traffic Control Plans be amended to acknowledge the existing 80km/h speed limit on Wooyung Road and to also review the length of the 40km/h approaches.**

***FOR VOTE - Cr James Owen, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed***

## **A4 [LTC] Pottsville Beach Public School - Tweed Coast Road**

### **ORIGIN:**

**Roads & Stormwater**

**FILE NO:** ECM5891463; Traffic - Committee; School Zones; Tweed Coast Road, Pottsville, Cudgera Avenue, Pottsville

## **SUMMARY OF REPORT:**

### **Applicant's Information:**

Request received for a review and reduction in the 'No Stopping' zone on Cudgera Avenue as well as consideration for a 'No Right Turn' barrier into the school car park.

Now that the majority of the capital works have been completed at the school we are looking a procedures/organisation to encourage responsibility and ease when picking up and dropping off our learners.

### **Officer's Comment:**

Cudgera Avenue is used for queuing into the school's off road drop off and pick up zone. The Traffic Committee previously supported the extension of the 'No Stopping' zone from the entrance to the car park to the roundabout on Tweed Coast Road. If parents and carers are unable to queue in Cudgera Avenue they are forced to circulate on Cudgera Avenue until the traffic clears. There is no safety reason to physically prevent the right hand turn into the off road drop off and pick up zone. This would be best managed by encouraging appropriate behaviour through the school newsletters.

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**RECOMMENDATION TO COUNCIL:**

**That:**

1. The installation of a physical barrier to prevent a right hand turn into the drop off zone from Cudgera Avenue is not supported as this issue should be addressed internally by the school through its newsletter or other media.
2. The 'No Stopping' zone on Cudgera Avenue adjacent to the school's playground be reduced and replaced with 'No Parking' signage from the entrance of the pick-up and drop off zone for approximately 40m and be monitored in relation to potential hazards for vehicles exiting the roundabout onto Cudgera Avenue.
3. The bus zone on Tweed Coast Road be reduced in line with the pavement markings and be replaced with 'No Parking - School Zone' signage subject to consultation with the bus companies.

*FOR VOTE - Cr James Owen, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed.*

**DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS**

**A5 [LTC] Casuarina Way, Casuarina**

**ORIGIN:**

**Roads & Stormwater**

FILE NO: ECM5763869/ILL19/0068; Traffic - Committee; Parking - Illegal; Parking - Zones; Casuarina Way, Casuarina

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received in relation to vehicles being illegally parked at the bus stop on Casuarina Way on a regular basis.

**Officer's Comment:**

The existing bus bays are not sign posted as bus zones. No requests have been received from the bus operators to create bus zones adjacent to the shelters.

Consideration could be given to installing 'Bus Zone' signs operating during hours of bus operation.

**RECOMMENDATION TO COUNCIL:**

**That the indented bus bays on Casuarina Way near the intersection of Sterculia Court be signposted as a bus zone during hours of bus usage, as advised by the bus operator.**

*FOR VOTE - Cr James Owen, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed.*

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**A6 [LTC] Solander Street and Keith Compton Drive, Tweed Heads**

**ORIGIN:**  
**Roads & Stormwater**

FILE NO: ECM5875954; 5876209; Traffic - Committee; Traffic - Safety; Parking Zones; Solander Street; Keith Compton Drive, Tweed heads

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received from residents living on the corner of Solander Street and Keith Compton Drive in Tweed Heads regarding parking congestion and the trouble it causes for everyone in the area.

This is to inform you of the very dangerous situation that exists on this corner (Solander Street / Keith Compton Drive). We have witnessed two bad accidents in the last few weeks. In March it was between two cars, with significant damage caused. Just this morning it was between a car and a cyclist.

We feel this problem could be eliminated, if the parking area on Keith Compton Drive.....two car spaces, was made a NO PARKING AREA. With cars parked there, it is impossible to see what is coming from the right, until you pull right out. One day it will be a fatality....it is only a matter of time. In the meantime, people are being injured and vehicles badly damaged.

Further information received from applicant dated 7/5/19:

This was this mornings' accident. Where the grey Ute is parked, and the car behind it, is in the area in question. This caused a major blind spot, for pulling out onto Keith Compton Drive. See further photographic attachments.

**Officer's Comment:**

Parking demand is high in this area and while this should not compromise road safety, installing a continuity line on Keith Compton Drive at Solander Street would provide drivers confidence to move forward and have better sight distance.

**RECOMMENDATION TO COUNCIL:**

**That a continuity line be installed on Keith Compton Drive over the intersection with Solander Street.**

***FOR VOTE - Cr James Owen, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed.***

**A7 [LTC] Cycle for Life Social Cycle Event - 28 July 2019**

**ORIGIN:**  
**Roads & Stormwater**

FILE NO: ECM5895049; Traffic - Committee; Local Area Traffic Management; Road Closures - Temporary; Bells Boulevard; Casuarina Way; Dianella Drive; Tweed Coast Road; Tweed Coast Way; Rosewood Avenue; Clothiers Creek Road;

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Round Mountain Road; Sandalwood Drive; Cabarita Road; Kauri Avenue; Windsong Way; Cylinders Drive; Oasis Way; Sailfish Way; Norths Lane; Eviron Road; Duranbah Road; Cudgen Road; Kaners Road; Cudgera Creek Road; Pottsville Road; Tweed Valley Way; Stokers Road; Bakers Road; Kyogle Road; Park Avenue; North Arm Road; Numinbah Road; Queensland Road; Cane Road; Eviron Road; Duranbah Road

## **SUMMARY OF REPORT:**

### **Applicant's Information:**

The Cycle for Life is a social cycle event, aimed at raising awareness within the community about organ donation. There are four fully supported options to cycle (or walk):

- A 100 km road cycle
- A 50 km road cycle
- A 30 km road cycle
- A 5 km family cycle/walk along the beach path from Salt Central Park to Cotton beach and return.

### **Officer's Comment:**

The applicant is applying for temporary road closures during ride starts in Bells Boulevard, Kingscliff. Normal road rules apply for the other events.

## **RECOMMENDATION TO COUNCIL:**

**That the proposed Cycle for Life Social Cycle event to be held on 28 July 2019 be supported, subject to:**

- 1. NSW Police approval being obtained.**
- 2. Traffic Management Plan and associated Traffic Control Plans be submitted to Council officers a minimum of 4 weeks prior to the event.**
- 3. Conformance with Traffic Management Plan and associated Traffic Control Plans to be implemented and controlled by Roads & Maritime Services accredited persons.**
- 4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.**
- 5. 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.**
- 6. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.**
- 7. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.**
- 8. Adequate public liability insurance being held by the event organiser.**
- 9. 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.**
- 10. Consultation with emergency services and any identified issues addressed.**
- 11. Arrangements made for private property access and egress affected by the event.**



12. 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.
13. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.
14. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
15. 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, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed.***

#### **A8 [LTC] Tour de Tweed - 8 to 11 August 2019**

**ORIGIN:**  
**Roads & Stormwater**

**FILE NO:** ECM5895741; Traffic - Committee; Local Area Traffic Management; Road Closures - Temporary; Festivals / Events; Boundary Street; Tweed Terrace; Coolman Street; Coodgie Street; Brays Creek Road; Cudrigan Street; Coolman Lane; Carraboi Terrace; Limpinwood Road; Zara Road; Numinbah Road; North Arm Road; Park Avenue; Kyogle Road; Tyalgum Road; Wollumbin Street; Bakers Road; Mistral Road; Tweed Valley Way; Stokers Road; Smiths Creek Road; Mount Warning Road; Cudgen Road; Clothiers Creek Road; Eviron Road; Farrants Road; Quarry Road; Reserve Creek Road; Round Mountain Road; Watty Bishop Road; Norths Lane; Duranbah Road; Kite Crescent; Honeyeater Court; Lundberg Drive; Murwillumbah Street; Wharf Street; Tumbulgum Road; Racecourse Road

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

##### **Applicant's Information:**

The Tour de Tweed is a multi-stage cycling tour offering challenging racing to Elite, Masters, the Queensland Road Team Series and NRS divisions which will be held on Thursday 8 through to Sunday 11 August 2019. Cycling disciplines include time trials, criterium and road racing. The Tour de Tweed offers a graded racing tour and competitive races for its participants as it aims to cater to a multitude of cyclists. The cycling event in the Tweed region is currently entering its 11<sup>th</sup> year (Battle of the Border) and its purpose in 2019 is to bring the cycling community together for some great country laneway racing and to support the return of sports tourism in the region.

The event is held in the Tweed Shire region throughout Murwillumbah, Tyalgum, Chillingham, Stokers, and Burringbar. The event brings in more than 600 participants and spectators per day and exposes them to this beautiful area of New South Wales.

##### **Officer's Comment:**

The Hill Climb is new to the schedule and involves a full closure of Boundary Street, Tweed Heads, between 4:00pm and 7:00pm on Thursday 8 August which will have a significant

impact on residents. The majority of races are under rolling road closures and Police escort and the traffic is only delayed as the race passes.

There are full temporary road closures for the Criterium and individual time trials on Sunday 11 August in the industrial area of Murwillumbah, and in, Wharf Street, Tumbulgum Road and Racecourse Road. These road closures would prevent access to the multi-level car park, swimming pool, library and auditorium. In Tyalgum, Coolman Street, Cudgie Street and Brays Creek Road are proposed to be temporarily fully closed between 7.00am and 1.00pm on Friday 9 August 2019.

#### **RECOMMENDATION TO COUNCIL:**

**That the proposed Tour de Tweed to be held on 8 to 11 August 2019 be supported, subject to:**

- 1. NSW Police approval being obtained.**
- 2. Endorsement of the event by Cycling Queensland or Bicycle NSW.**
- 3. Traffic Management Plan and associated Traffic Control Plans be submitted to Council officers a minimum of 4 weeks prior to the event.**
- 4. Conformance with Traffic Management Plan and associated Traffic Control Plans to be implemented and controlled by Roads & Maritime Services accredited persons.**
- 5. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.**
- 6. 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.**
- 7. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.**
- 8. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.**
- 9. Adequate public liability insurance being held by the event organiser.**
- 10. 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.**
- 11. Consultation with emergency services and any identified issues addressed.**
- 12. Arrangements made for private property access and egress affected by the event.**
- 13. 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.**
- 14. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.**
- 15. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.**
- 16. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.**

17. The road closures in Tyalgum must be done in consultation with the school bus operator, Singh's Bus and the school.
18. The road closures in Murwillumbah on Tumbulgum Road and Wharf Street be reduced in length to allow access to the multi level car park, pool and auditorium.
19. Evidence of consultation with affected residents in the Boundary Street area be submitted to Council at least one month prior to the event being held.

**FOR VOTE - Cr James Owen, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed, Mr Col Brooks on behalf of Ms Janelle Saffin, Member for Lismore.**

#### **A9 [LTC] Charles Street, Tweed Heads**

##### **ORIGIN:**

**Roads & Stormwater**

FILE NO: ECM5877683; Traffic - Committee; Traffic - Safety; Parking Zones; Charles Street; Sellicks Lane

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

###### **Applicant's Information:**

Request received for the installation of 'No Parking' signs on the cemetery side of Charles Street, Tweed Heads as it is reported that it is difficult to pass safely with vehicles parked in the narrow street on both sides of the road.

A similar request has been received regarding a number of stationary motor vehicles that are parked on either side of the road which causes serious concern to motorists and residents when traffic is flowing in either direction.

What is most troubling particular is on the corner of Charles Street and Sellicks Lane where, if you have 2 vehicles parked on either side of the road and flowing traffic is going in either direction, it then becomes a blind corner and as such, poses as a serious potential for a collision to occur.

Not only this but when pedestrians are walking in either direction there is no facility for pedestrians to walk on designated pathway past Sellicks Lane going South.

The safety issues were discussed in relation to sight distance requirements when passing parked vehicles. When vehicles are parked on straight sections of the road near the Cemetery drivers are able to make decisions when crossing into the oncoming lane. When vehicles are parked on the inside of the curve opposite Sellicks Lane drivers would be unable to see oncoming traffic and installing prohibitive parking signage on the inside of the curve would improve safety.

###### **Officer's Comment:**

That a review will be conducted for the need for prohibited parking signage on Charles Street and submitted to the Committee for discussion.

The Chairman requested that this item be moved to the A Section of the Minutes.

**COMMITTEE ADVICE:**

That a yellow 'No Stopping' edge line be installed on Charles Street, Tweed Heads on the inside of the curve opposite Sellicks Lane.

*FOR VOTE - Cr James Owen, Ms Katherine Boulton, Roads & Maritime Services, Jennifer Brinsmead on behalf of Mr Geoff Provest, MP Member for Tweed.*

**B. INFORMAL ITEMS SECTION**

**GENERAL TRAFFIC ADVICE - MURWILLUMBAH**

**B1 [LTC] Piggabeen Road, Piggabeen**

**ORIGIN:**

**Roads & Stormwater**

FILE NO: ECM5820195; Traffic - Committee; Speed Zones; Piggabeen Road; Pine Tree Place

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received for a 40km/h speed zone on Piggabeen Road from the causeway/bridge adjacent to Arthur and Lillian Keys Park to the intersection of Pine Tree Place including many side streets.

It is reported that they have constant speeding and noise from dirt bikes and cars along Piggabeen Road after you enter the causeway/bridge adjacent to Arthur and Lillian Keys Park and there is clear evidence of burnouts.

There are small children and elderly in the area and there have been confrontations with neighbours with the offenders, one requiring intervention by Tweed Heads Police.

**Officer's Comment:**

The RMS Speed Zoning Guidelines would not support a 40km/h speed zone on Piggabeen Road in semi-rural locations. Additional warning signage could be installed to draw driver's attention to the various road users in this area.

**COMMITTEE ADVICE:**

That a reduction of speed on Piggabeen Road to 40km/h is not supported as it does not comply with the RMS Speed Zoning Guidelines however additional warning signage should be installed in relation to vulnerable road users.

## **B2 [LTC] Piggabeen Road, Tweed Heads West**

### **ORIGIN: Roads & Stormwater**

FILE NO: ECM 5866751; 5892368; Traffic - Committee; Traffic - Safety; Traffic - Speed Zones; Signs - Traffic Issues; Piggabeen Road, Carramar Drive, Tulgi Way, Anconia Avenue, Tweed Heads West; Nerang Street, Silkwood Terrace

### **SUMMARY OF REPORT:**

#### **Applicant's Information:**

Request received in relation to speeding of traffic along Piggabeen Road, West Tweed - between the junction with Tulgi Way/Anconia Avenue and Carramar Drive. I believe the speeding resulted from a combination of:

1. The poorly thought out decision by Council to overturn it's original intention to make Piggabeen Rd a 'cul-de-sac' upon completion of Tulgi Way, and
2. The even worse decision to place double white lines on Piggabeen Road (without consulting property holders) and
3. Failing to appropriately direct westward heading 'through' traffic to use Tulgi Way.

With a wide open and clear vision along Piggabeen Road because of the double white lines, (some) motorists are inclined to speed. The placement of a trailer mounted speed advice screen showed some vehicles travelling between 70 - 80 km/h.

Some vehicles appear to use Piggabeen Road instead of Tulgi Way when heading further west. This is especially the case with Council vehicles. I suggested a concrete island in Carramar Drive where Piggabeen Road makes a 'T' junction so that traffic must turn left.

In summary, the applicant is requesting to:

1. Remove unwarranted double centrelines to encourage on-street parking. This extra congestion and visual barrier may reduce vehicle speeds.
2. Change priority at the Nerang Street/ Piggabeen Road intersection to slow through traffic on Piggabeen Road
3. Install a 'Stop' sign on Nerang Street to prevent vehicles turning out of Nerang Street on to Piggabeen Road at speed.
4. Install a Stop' sign on Silkwood Terrace to prevent vehicles turning out of Nerang Street on to Piggabeen Road at speed.

#### **Officer's Comment:**

Removing the double centrelines would encourage vehicles to be parked on road, which may lead to sight distance issues as driveways accessing the road are very steep. Some sections of the double centrelines would need to remain given the horizontal and vertical alignment of the road. Officers are not aware of previous similar requests for this section of the road. Clearly Nerang Street is a terminating road and Piggabeen Road carries the majority of traffic. Changing priority would result in a significant crash risk. Sight distance at the intersection of Nerang Street and Piggabeen Road is not commensurate with the provision of a 'Stop' sign. Sight distance at Silkwood Terrace is appropriate for a 'Give Way' sign.

**COMMITTEE ADVICE:**

**That when maintenance is carried out on Piggabeen Road between Tulgi Way and Carramar Drive, Piggabeen linemarking is to be reviewed before reinstatement.**

**GENERAL TRAFFIC ADVICE - TWEED HEADS**

**B3 [LTC] Cylinders Drive, Kingscliff**

**ORIGIN:**  
**Roads & Stormwater**

**FILE NO:** TRA19/007; ECM5892184; Traffic - Committee; Traffic- Safety; Cylinders Drive, Casuarina; Pty: 101876

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received in relation to cyclists and racing bikes using the path along the front between the housing and beach from SALT to Casuarina. The issue is not that cyclists are using the path but the speed that they are travelling, with speeds estimated to be 40 - 50km/h. It is requested that speed signage be used and enforced. With children, pets and cyclists someone could be seriously injured.

**Officer's Comment:**

A review of literature has demonstrated that speed limits are not recommended as a safety measure for shared paths and studies have found them to have little or no effect. Bike safety and shared path etiquette are promoted as part of the Local Government Road Safety Program and during Bike Week.

**COMMITTEE ADVICE:**

**That speed limit signage is not supported on the coastal shared user path and that advice be sought from Police on any enforcement strategies that could be implemented.**

**B4 [LTC] Charles Street, Tweed Heads**

This item was moved to A9

**B5 [LTC] Kennedy Drive, Tweed Heads**

**ORIGIN:**  
**Roads & Stormwater**

**FILE NO:** ECM 5858011; Kennedy Drive, Tweed Heads; Street - Signs; Traffic - Safety;

**SUMMARY OF REPORT:**

**Applicant's Information:**

The applicant was driving along Wharf Street, Tweed Heads, veered left onto Kennedy Drive (next to the Ivory Hotel), when a vehicle came towards the applicant head on. The applicant

says that this is a regular occurrence by drivers who believe they are merging towards Tweed Heads instead of going around towards Tweed Heads South. The applicant requests the immediate installation of "Wrong Way" or "Do Not Enter" signs to avoid further accidents.

**Officer's Comment:**

The issue being raised is not a regular occurrence, however should members of the committee consider it warranted, a regulatory sign could be installed.

**COMMITTEE ADVICE:**

**That pavement directional arrows be installed on Kennedy Drive to assist drivers exiting The Ivory Hotel.**

**B6 [LTC] Dry Dock Road, Tweed Heads South**

**ORIGIN:  
Roads & Stormwater**

FILE NO: ECM5830066; Traffic - Committee; Directional Signs; Parking Zones; Dry Dock Road, Tweed Heads South

**SUMMARY OF REPORT:**

**Applicant's Information:**

Request received for signage opposite the T-intersection near Lloyd Street where the business 'Next Door' coffee house is located. Parking is occurring opposite the T-intersection, delaying traffic at some times as cars proceeding to turn right into Lloyd Street and cars going straight are unable to proceed straight as cars are parked in this zone and cannot overtake on the inside.

At the moment there is no signage to say this is allowed or not and as it is one lane only, this causes inconvenience for cars wanting to go straight.

NSW Law stipulates -

- Within 10 metres of an intersecting road at an intersection without traffic lights unless:
  - A sign allows you to park there or
  - The intersection is a T-intersection without traffic lights, where you are permitted to stop along the continuous side of the continuing road

Also, some bitumen on the side of the road for cars to overtake on the inside when cars are turning right into Lindisfarne Public School at Sullivan Street and Sunshine Avenue would be handy.

**Officer's Comment:**

There may be occasional parking of vehicles on Dry Dock Road opposite Lloyd Street but it is not considered that this significantly affects through traffic on Dry Dock Road and the installation of 'No Stopping' signs is not supported.

**COMMITTEE ADVICE:**

**That the installation of 'No Stopping' signs on Dry Dock Road opposite Lloyd Street is not supported as the occasional parking of vehicles in this area does not significantly affect the through traffic on Dry Dock Road.**

**NEXT MEETING:**

The next meeting of the Local Traffic Committee will be held Thursday 27 June 2019 in the Mt Warning Meeting Room commencing at 9.30am.

There being no further business the Meeting terminated at 11:55am.

**EXECUTIVE LEADERSHIP TEAM COMMENTS**

**BA1 [LTC] Winders Place, Banora Point**

Nil.

**AA1 [LTC] Kyogle Road, Dum Dum**

Nil.

**A1 [LTC] Mooball Street and Queensland Road, Murwillumbah**

Nil.

**A2 [LTC] Tweed Valley Way, South Murwillumbah**

Nil.

**A3 [LTC] Splendour in the Grass 17 - 22 July 2019**

Nil.

**A4 [LTC] Pottsville Beach Public School - Tweed Coast Road**

Nil.

**A5 [LTC] Casuarina Way, Casuarina**

Nil.

**A6 [LTC] Solander Street and Keith Compton Drive, Tweed Heads**

Nil.

**A7 [LTC] Cycle for Life Social Cycle Event - 28 July 2019**

Nil.



**A8 [LTC] Tour de Tweed - 8 to 11 August 2019**

Nil.

**A9 [LTC] Charles Street, Tweed Heads**

Nil.

**EXECUTIVE LEADERSHIP TEAM RECOMMENDATIONS**

**BA1 [LTC] Winders Place, Banora Point**

*That:*

- 1. "Yellow no stopping" edge lines be installed on Winders Place at the intersections of Minerva Court and Liberty Place to reinforce the rule regarding no stopping within 10m of an intersection.*
- 2. Council writes to the school advising that parking spaces on site should only be reserved for Staff if the minimum provision for customers is exceeded.*
- 3. The request for time limited parking is not supported as this is generally used to promote the turnover of vehicles at high demand CBD areas.*
- 4. The request for a yellow edge line on one side of the cul-de-sacs of Minerva Court and Liberty Place is not supported as officer observations confirm that a 3m gap is maintained and vehicles are able to access the cul-de-sac.**

**AA1 [LTC] Kyogle Road, Dum Dum**

*That the overtaking lane on Kyogle Road at Glenock Road be reduced to an approximate length of 250m terminating before the curve heading towards Murwillumbah.*

**A1 [LTC] Mooball Street and Queensland Road, Murwillumbah**

*That:*

- 1. The existing "Stop" signs on Mooball Street at the intersection of Queensland Road be replaced with "Give Way" sign and the line marking be modified accordingly.*
- 2. "Give Way Ahead" signs be installed on Mooball Street in advance of Queensland Road.*

**A2 [LTC] Tweed Valley Way, South Murwillumbah**

*That "no stopping yellow edge lines" be installed on Tweed Valley Way 6m both sides of the driveways of the IGA/McDonalds Murwillumbah.*

**A3 [LTC] Splendour in the Grass 17 - 22 July 2019**

***That the submitted Traffic Control Plans for Splendour in the Grass 17 to 22 July 2019 be supported subject to:***

- 1. Additional way finding signage being installed at Gate E to direct motorists to Tweed Valley Way for north bound drivers.***
- 2. The Traffic Control Plans be amended to acknowledge the existing 80km/h speed limit on Wooyung Road and to also review the length of the 40km/h approaches.***

**A4 [LTC] Pottsville Beach Public School - Tweed Coast Road**

***That:***

- 1. The installation of a physical barrier to prevent a right hand turn into the drop off zone from Cudgera Avenue is not supported as this issue should be addressed internally by the school through its newsletter or other media.***
- 2. The 'No Stopping' zone on Cudgera Avenue adjacent to the school's playground be reduced and replaced with 'No Parking' signage from the entrance of the pick-up and drop off zone for approximately 40m and be monitored in relation to potential hazards for vehicles exiting the roundabout onto Cudgera Avenue.***
- 3. The bus zone on Tweed Coast Road be reduced in line with the pavement markings and be replaced with 'No Parking - School Zone' signage subject to consultation with the bus companies.***

**A5 [LTC] Casuarina Way, Casuarina**

***That the indented bus bays on Casuarina Way near the intersection of Sterculia Court be signposted as a bus zone during hours of bus usage, as advised by the bus operator.***

**A6 [LTC] Solander Street and Keith Compton Drive, Tweed Heads**

***That a continuity line be installed on Keith Compton Drive over the intersection with Solander Street.***

**A7 [LTC] Cycle for Life Social Cycle Event - 28 July 2019**

***That the proposed Cycle for Life Social Cycle event to be held on 28 July 2019 be supported, subject to:***

- 1. NSW Police approval being obtained.***
- 2. Traffic Management Plan and associated Traffic Control Plans be submitted to Council officers a minimum of 4 weeks prior to the event.***
- 3. Conformance with Traffic Management Plan and associated Traffic Control Plans to be implemented and controlled by Roads & Maritime Services accredited persons.***

4. **Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.**
5. **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.**
6. **The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.**
7. **Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.**
8. **Adequate public liability insurance being held by the event organiser.**
9. **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.**
10. **Consultation with emergency services and any identified issues addressed.**
11. **Arrangements made for private property access and egress affected by the event.**
12. **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.**
13. **The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.**
14. **The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.**
15. **A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.**

**A8 [LTC] Tour de Tweed - 8 to 11 August 2019**

**That the proposed Tour de Tweed to be held on 8 to 11 August 2019 be supported, subject to:**

1. **NSW Police approval being obtained.**
  2. **Endorsement of the event by Cycling Queensland or Bicycle NSW.**
  3. **Traffic Management Plan and associated Traffic Control Plans be submitted to Council officers a minimum of 4 weeks prior to the event.**
  4. **Conformance with Traffic Management Plan and associated Traffic Control Plans to be implemented and controlled by Roads & Maritime Services accredited persons.**
  5. **Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.**
  6. **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.**
-

7. *The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.*
8. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.*
9. *Adequate public liability insurance being held by the event organiser.*
10. *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.*
11. *Consultation with emergency services and any identified issues addressed.*
12. *Arrangements made for private property access and egress affected by the event.*
13. *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.*
14. *The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.*
15. *The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.*
16. *A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.*
17. *The road closures in Tyalgum must be done in consultation with the school bus operator, Singh's Bus and the school.*
18. *The road closures in Murwillumbah on Tumbulgum Road and Wharf Street be reduced in length to allow access to the multi level car park, pool and auditorium.*
19. *Evidence of consultation with affected residents in the Boundary Street area be submitted to Council at least one month prior to the event being held.*

**A9 [LTC] Charles Street, Tweed Heads**

*That a yellow 'No Stopping' edge line be installed on Charles Street, Tweed Heads on the inside of the curve opposite Sellicks Lane.*

**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:**

Nil.

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## CONFIDENTIAL ITEMS FOR CONSIDERATION

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

#### C1 [PCG-CM] Crown Lands Management Act - Delegations and Authorised Persons

#### 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: -

- (a) personnel matters concerning particular individuals (other than councillors).

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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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