



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 20 April 2017

held at **Council Chambers, Murwillumbah Civic & Cultural Centre,**
Tumbulgum Road, Murwillumbah commencing at 5.00pm

Principles for Local Government

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

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

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

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

(2) Decision-making

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

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

(3) Community participation

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

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CONFIRMATION OF MINUTES

- 1 [CONMIN-CM] Confirmation of Minutes of the Ordinary and Confidential Council Meetings held Thursday 16 March 2017

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.2 Improve decision making by engaging stakeholders and taking into account community input
- 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community

The Minutes of the Ordinary and Confidential Council Meeting held Thursday 16 March 2017 are attached for information and adoption by Council.

RECOMMENDATION:

That:

1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 16 March 2017 be adopted as a true and accurate record of proceedings of that meeting.
2. ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
 - (f) matters affecting the security of the council, councillors, council staff or council property.

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

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 or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).

Attachment 1	Minutes of the Ordinary Council Meeting held Thursday 16 March 2017(ECM 4468045).
(Confidential) Attachment 2	Minutes of the Confidential Council Meeting held Thursday 16 March 2017(ECM 4458052).

2 [CONMIN-CM] Confirmation of Minutes of Council Meeting held Thursday 6 April 2017

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
-

The Minutes of the Ordinary and Confidential Council Meeting held Thursday 6 April 2017 are attached for information and adoption by Council.

RECOMMENDATION:

That:

- 1. The Minutes of the Ordinary and Confidential Council Meetings held Thursday 6 April 2017 be adopted as a true and accurate record of proceedings of that meeting.**
- 2. ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (f) matters affecting the security of the council, councillors, council staff or council property.**

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

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:

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Attachment 1	Minutes of the Ordinary Council Meeting held Thursday 6 April 2017 (ECM XXX)
(Confidential) Attachment 2	Minutes of the Confidential Council Meeting held Thursday 6 April 2017 (ECM XXX).

SCHEDULE OF OUTSTANDING RESOLUTIONS

3 [SOR-CM] Schedule of Outstanding Resolutions at 20 April 2017



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.1 Council will be underpinned by good governance and transparency in its decision making process
-

CODE OF MEETING PRACTICE:

Section 2.8 Outstanding Resolutions

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

16 JULY 2015

ORDERS OF THE DAY

31 [NOM] Parking Requirements for Small Businesses

408

Cr K Milne
Cr P Youngblutt

RESOLVED that Council brings forward a report on the issue of Council's requirements for parking for development approvals for new small business and intensified use of existing, or change of use, small business approvals, including but not limited to:

- a) Council's current requirements and the justification for these requirements,
 - b) The potential for these requirements to act as a disincentive for new or expanding small businesses,
 - c) Comparison of Council's requirements with other similar growth Councils requirements,
 - d) Options to alleviate the impost on small businesses such as eliminating, reducing or providing deferred payments,
 - e) Options to address the implications for Council or the community from the above.
-

Current Status: This requires a comprehensive amount of investigation and work and sits behind current priorities including Tweed Road Development Strategy - Traffic Study, which will inform the Tweed Road Contribution Plan and a revision of Development Control Plan (DCP), Section A5 - Subdivision Manual.

15 SEPTEMBER 2016

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

C1 [GM-CM] Murwillumbah Railway Station

C 29

That Council:

1. Authorises the General Manager to enter into lease negotiations for the Murwillumbah Railway Station.
2. A report be brought back to a future Council meeting which includes the terms and conditions of the future potential lease.

Current Status: The General Manager and Council officers attended an onsite meeting with NSW Transport on 7 December 2016 to further negotiate the lease provisions. A license was agreed upon and commenced on 22 December 2016.

Murwillumbah District Business Chamber entered into a sub-licence which commenced on 21 January for an office on site and will terminate on 19 June 2017.

Following the March/April flood event Destination Tweed are also now occupying due to damage to their facility at the Murwillumbah Visitor Information Centre.

15 SEPTEMBER 2016

aC1 [GM-CM] Murwillumbah Airfield - Lease Negotiations

That Council:

- a) Bring forward a report investigating all development and leasing options available for the Murwillumbah Airfield; and
- b) Advise the potential lessee that the current lease negotiations for the western side of the Murwillumbah Airfield will be suspended until this report is determined by Council.

Current Status: Airport Projects were appointed to undertake this investigation. A report has been prepared and a workshop held with Councillors on 23 February 2017. The Economic Development Unit are working with

Airport Projects to final the recommendations and costings prior to being reported to Council in April. They have commenced the background research and conducted a meeting with lessees and users at the Airfield on 7 November 2016.

The potential lessee has been notified by letter and invited to participate in the discussions to assist the background research of the report.

17 NOVEMBER 2016

10 [CNR-CM] Licence for Pottsville Men's Shed at Black Rocks

528

Cr R Cooper

Cr K Milne

RESOLVED that:

1. The determination of the licence be deferred to a future Council meeting, and that Council:
2. Notes the community's support of a Men's Shed in Pottsville and that Council writes an urgent letter to the State Member Geoff Provest requesting information related to the process by which Crown Lands has to date worked to help the Pottsville and District Men's Shed (PDMS) to find a permanent home as per the Memorandum of Understanding (MOU) between Crown Lands and the Australian Men's Shed Association formulated in 2013, specifically requesting:
 - a) A diagram identifying all potentially available Crown Lands in Pottsville.
 - b) A copy of the assessment made as to the suitability of a permanent home for the PDMS for each of the sites identified.
 - c) A list of the further sites that could be investigated for the purposes of a permanent home for the Pottsville and District Men's Shed and advice on the suitability of these sites.

Current Status: This licence has now been signed.

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for March 2017

SUBMITTED BY: Cr K Milne, Mayor

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.2	Improve decision making by engaging stakeholders and taking into account community input
1.2.2	Decisions made relating to the allocation of priorities will be in the long-term interests of the community

Councillors

COMMITTEE MEETINGS

Attended by the Mayor

- 3 March Richmond Tweed Regional Library Committee - Lismore City Council, 43 Oliver Avenue, Goonellabah.
 - 10 March Aboriginal Advisory Committee - Minjungbal Aboriginal Museum and Cultural Centre, Kirkwood Road, South Tweed Heads.
-

INVITATIONS / MAYORAL REPRESENTATION:

Attended by the Mayor

- 5 March Opening Ceremony Tweed Seniors Festival - Banora Point Community Centre, Corner Leisure and Woodlands Drive, Banora Point.
 - 8 March Twin Towns Friends Rock'n'Roll and Ballroom Dancing Exhibition - Twin Towns Services Club, Wharf Street, Tweed Heads.
 - 17 March Neighbourhood Day Promotion - South Tweed Community Centre, Corner Heffron Street and Minjungbal Drive, South Tweed Heads.
 - 20 March North Coast Regional Plan Teleconference.
 - 23 March Zero Emission Tweed - Condong Street, Murwillumbah.
-

- 23 March Planning Institute Australia Achieving Great Greenfield Housing Developments - Twin Towns Services Club, Wharf Street, Tweed Heads. Crs Cherry, Owen and Polglase also attended.
- 24 March Tweed Valley Women's Service Celebration Concert - Regent Cinema, 5 Brisbane Street, Murwillumbah.
- 31 March Critical Incident Control Group Meeting Teleconference.

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

- 4 March Annual inspection and Ceremonial Parade of TS Vampire - Dry Dock Road, South Tweed Heads. Cr Byrnes attended.

Inability to Attend by or on behalf of the Mayor

All invitations were accepted by the Mayor or attended by another Councillor on her behalf.

REQUESTS FOR WORKSHOPS:

Councillors did not request any additional workshops during March 2017.

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

- 12-14 March NSW Tourism Conference - Manning Entertainment Centre, 33 Manning River Drive, Taree. Cr Owen attended.
- 20 March Speed Reading Course - LG NSW, Margaret Street, Sydney. Crs Allsop and Owen attended.
- 21 March LG NSW Planning Breakfast - Parliament House, Macquarie Street, Sydney. Cr Owen attended.

Information on Conferences to be held

- 25-26 May Future of Local Government National Summit - Melbourne VIC

In the next ten years, seismic change will transform society and government. To take advantage of this opportunity and remain relevant, the Local Government sector needs to - Truly become the servant of the community and support citizens to build stronger communities. Increase stakeholder trust in local government, Take a bold, more strategic leadership position in the debate about the future of Australia's Federal agenda, Establish local government research and development function where Councils can experiment, pilot and take risks.

Registration \$594, two flights, two night's accommodation
www.mav.asn.au

- 10-12 July 10th Making Cities Liveable Conference - Brisbane QLD

This successful conference grows with importance each year as a platform for innovative discussion on the approach to follow and the actions to undertake in making our cities liveable and healthy urban communities. Following commitment by world leaders to adopt the New Urban Agenda and thereby setting a new global standard for sustainable urban development, the 2017 Liveable Cities Conference aims to focus more deeply on key areas addressing how we plan, manage and live in our cities. We are also looking beyond major capital cities to successful liveability in regional centres. This two day Making Cities Liveable Conference will be followed by a one day Safe Cities Conference.

Early bird registration Making Cities Liveable Conference \$ 920, Safe Cities Conference \$350, three night's accommodation.
<http://healthycities.com.au/>

SIGNING OF DOCUMENTS BY THE MAYOR:

- 15 March Reassigned Licence Agreement - Road Reserve Wharf Street Tweed Heads.
 - 28 March Transfer Granting Easement documents - Easements for Support - The Anchorage.
-

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

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.

RECOMMENDATION:

That:

- 1. The Mayoral Minute for the month of March 2017 be received and noted.**
 - 2. The attendance of Councillors at nominated Conferences be authorised.**
-

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

RECEIPT OF PETITIONS

5 [ROP-CM] Receipt of Petitions

SUBMITTED BY: Corporate Governance



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
-

SUMMARY OF REPORT:

Under Section 1.5.4 Receipt of Petitions in the Code of Meeting Practice Version 2.5:

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

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

RECOMMENDATION:

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

REPORT:

As per Summary

OPTIONS:

That in accordance with Section 1.5.4 of the Code of Meeting Practice Version 2.5:

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

CONCLUSION:

Any Petition tabled should be considered under Section 1.5.4 of the Code of Meeting Practice Version 2.5.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice Version 2.5.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

6 [GM-CM] Australian Local Government General Assembly 2017 - Submission of Motions

SUBMITTED BY: Corporate Governance

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.2	Improve decision making by engaging stakeholders and taking into account community input
1.2.1	Council will be underpinned by good governance and transparency in its decision making process

SUMMARY OF REPORT:

The Australian Local Government Association General Assembly will be held in Canberra from 18 to 21 June 2017 and Councillors Katie Milne, Chris Cherry, James Owen and Warren Polglase have been authorised to attend. The theme of this year's General Assembly is 'Building Tomorrow's Communities' and council has been invited to submit motions that accord with this theme by 21 April 2017.

Proposed motions are contained within the report.

RECOMMENDATION:

That the following proposed motions on:

- **Online Booking Tax;**
- **Flood Resilience;**
- **Tax Reform for the provision of Affordable Housing; and**
- **NSW State Government and Federal Government – Homelessness.**

be submitted for consideration at the Australian Local Government Association 2017 General Assembly.

REPORT:

The Australian Local Government Association General Assembly will be held in Canberra from 18 to 21 June 2017 and Councillors Katie Milne, Chris Cherry, James Owen and Warren Polglase have been authorised to attend. The theme of this year's General Assembly is 'Building Tomorrow's Communities' and council has been invited to submit motions that accord with this theme by 21 April 2017.

The following proposed motions are put forward to be submitted to the Australian Local Government Association for decision at the General Assembly.

Online Booking Tax

Motion

That the Australian Local Government Association lobby the Federal and State Governments to consider instituting into the appropriate taxation systems a 'Booking Tax' for online accommodation brokers such as Airbnb utilising residential zoned and rated land, in a similar method to the levying of the Hospitality Tax currently being applied in the United States of America and that funds raised be distributed by way of formula to Local Government Authorities and National Parks to fund public infrastructure that supports and underpins tourism.

National Objective

This will cater for a fairer method of taxation, with all residents who rent out a room in their house contributing towards the taxation system. An application of such a tax will also aid in better monitoring of the properties that are providing rental accommodation.

There is anomaly that currently exists where someone developing rental accommodation for short term stays will be levied appropriate road, carparking and water and sewer contributions and as opposed to someone leasing their home that is approved residential living for accommodation through a broker such as Airbnb will only have been levied for residential use.

Summary of Key Arguments

Within the Tweed Heads area of Tweed Shire there are in excess of 300 properties registered on the Airbnb website with income generated from these accommodation bookings currently not subject to any form of taxation.

Airbnb and other online booking agencies have the potential to directly affect hotels and other recognised accommodation providers that have been established through the proper planning process, which have paid the appropriate Section 94 and Section 64 Developer Charges levied on the development.

Flood Resilience

Motion

That the Australian Local Government Association request that respective State and Federal Governments develop measures or increase recurrent annual funding to either:

- a) provide a relocation assistance package or

- b) acquire through a voluntary purchase scheme;

for residential, commercial or industrial land identified in local Council flood studies as high impact flood prone land or provide an impediment to the flood plain to increase flood resilience and lessen the social, environmental and economic impacts of recurring natural disasters.

National Objective

Liveability – such a scheme would provide an impetus for the local economies with the buy-back of properties and the purchase of or construction of new properties in a flood-free area of the local community. This would also ensure that the population and workforce remain in the local area.

Summary of Key Arguments

Tweed Shire has recently experienced a major flood event, in excess of any other flood event in the immediate past, with major inundation of properties, both residential and commercial.

If the properties were purchased under such a scheme, the areas of flooding would become flood-ways and reduce the threat of properties being inundated.

The State Government's would also benefit from such a scheme through the collection of Stamp Duty on purchases, unless the State Government's chose to waive those charges in this instance.

This proposal has the propensity to make local communities stronger and more resilient through the financial support of the Federal and State Governments.

Tax Reform for the provision of Affordable Housing

Motion

That the Australian Local Government Association lobby both the Federal and State Governments to consider providing an amendment to the Income Tax Assessment Act whereby a private land owner with capacity in their home to let a bedroom or perhaps a granny flat would be exempt from both capital gains tax and land tax provisions should the bedroom or granny flat be let to a person deemed in housing crisis by Centrelink.

Obligations on the property owner would be to register their property with Centrelink and the appropriate Office of State Revenue as available for affordable accommodation and rents payable should be capped and set by a Government body based upon locality.

Localities could be broadly set in four subcategories as follows:

- i. CBD and inner suburbs
- ii. Outer metropolitan suburbs
- ii. Regional city centres
- iv. Rural

Rents payable to the property owner could be made directly by Centrelink in lieu of rental assistance paid directly to the client. This would ensure that the funds were directed to address the accommodation needs as opposed to other expenditure.

National Objective

Housing affordability and accommodation for those on social welfare is becoming a national and state crisis. The State Governments', councils and not for profit housing groups don't have the capacity financially or through resource management to cater for the current growing needs and therefore federal intervention is required.

Summary of Key Arguments

An innovative way to address the issue, which could also have positive effects for home owners with cost of living pressures, is to reform the taxation system so as not to create a disincentive for private property owners with capacity in their bedrooms or through a granny flat to let that premise to those in most need. The current taxation system creates a disincentive to utilise the capacity that currently exists within the private sector to address accommodation options for the most vulnerable in the community.

Disincentives at a Federal level include a principal place of residence becoming subject to capital gains tax should that property or part thereof be let for more than six years (Section 118-145 of the Income Tax Assessment Act).

Disincentives at a State level include a principal place of residence becoming subject to land tax should the property or part thereof be let.

From a social and society perspective the proposal would also have the added advantages of providing companionship to both the property owner and the tenant which could greatly benefit mental health and social wellbeing.

NSW State Government and Federal Government – Homelessness

Motion:

Tweed Shire Council calls on the NSW State Government and Federal Government to address homelessness as a national issue that requires a strategic targeted response across the continuum of crisis, short term and longer term solutions.

Why this is an issue:

Homelessness is exacerbated by social issues, social welfare cuts, social housing waitlists, housing affordability and unavailability of crisis, short-term and appropriate affordable housing options. There is a requirement to address affordable housing options that are appropriate for a range of people in different situations at different times as needs change. There needs to be an increase in the number of funding to homelessness support services for targeted groups as the current supply does not meet the current demand. There is a call for a National Homelessness Strategy which outlines where all levels of government, the private and community sector need to intervene early and intervene together to prevent homelessness. The NSW Affordable Housing SEPP should extend beyond Metropolitan Sydney and consider affordable and social housing options for regional areas.

Background information:

Increasing numbers of people are on the verge of homelessness, with the 2011 Census showing an increase of 8% since the 2006 Census. The 2011 Census calculation of homeless recorded 307 people as homeless across the Tweed Shire. The primary reasons why people

experience homelessness in NSW are domestic violence and relationship issues (31%), followed by accommodation issues (28%), financial difficulties (22%), 'other' reasoning (12%) and the lowest category is health reasons including mental health and substance abuse (7%).

Tweed Shire population is expected to increase 54.8% by 2036. There are six Government and Community Housing providers with 1290+ affordable and social housing properties across Tweed Shire. As at June 2016, there are 1,400+ on the waitlist for social housing with no plan by Government to provide additional housing to meet the gap. In 2011, households on low income and in rental stress equated to 53% in Tweed compared to NSW at 39%, increasing the risk factor for possible future homelessness.

Demand for Homelessness support services outweighs the supply especially for those in crisis. A key challenge is the acute short fall in crisis, short term and longer term social and affordable housing supply that perpetuates the demand for a crisis response. There is limited housing choice in the private and public market across Tweed and a high proportion of the population is aged over 55 years (36%).

Without assistance from State and Federal Government to strategically address Homelessness and look at State and Local Planning that provides clear statutory provisions, local government have very limited resources to address this National issue and provide targeted responses at a local level. Such a strategic response can consider the wider context and provide the much needed investment, guidance and legislative controls. It can also work to reconcile state-based barriers to implementation by local governments, such as financial capping of infrastructure contributions and expenditure and the ability to leverage development bonuses.

The responsibilities of each level of government to reduce homelessness and increase affordable and social housing supply need to be clearly defined so that policy can be coordinated and achieve real measurable outcomes and reach commitments outlined in policy.

OPTIONS:

That the proposed motions as reported be submitted and Council takes the opportunity to include any further motions.

CONCLUSION:

That the proposed motions on Online Booking Tax, Flood Resilience and Tax Reform for the provision of Affordable Housing be submitted for consideration at the Australian Local Government Association 2017 General Assembly.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Budget considerations may flow from the implementation of any motions adopted at the General Assembly.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

Discussions were held at an informal Councillors Workshop in the framing of these proposed motions.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

7 [GM-CM] Finalisation of Dissolution of Far North Coast County Council

SUBMITTED BY: Corporate Governance

Validms



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.2	Conserve native flora and fauna and their habitats
4.2.5	Establish and promote a framework for the implementation, continued development and monitoring of vegetation management and planning measures

SUMMARY OF REPORT:

Far North Coast County Council of which Tweed Shire Council was a Constituent Member Council was dissolved effective 1 July 2016.

This report provides information on the finalisation of the Proclamation, the determination of the transfer of assets and an update on the progress of the Service Level Agreement with Rous County Council.

RECOMMENDATION:

That Council notes the:

- 1. Finalisation of the Proclamation with reference to Far North Coast County Council assets and accepts the amount of \$117,571.28 as full and final settlement of the dissolution of Far North Coast County Council and the General Manager be authorised to sign this acceptance.**
- 2. Update on the status of the Service Level agreement for Weed Biosecurity and Associated Services provided by Rous County Council for the period 1 July 2016 to 31 December 2016.**

REPORT:

Far North Coast County Council of which Tweed Shire Council was a Constituent Member Council was dissolved effective 1 July 2016.

This report provides information on the finalisation of the Proclamation, the determination of the transfer of assets and an update on the progress of the Service Level Agreement with Rous County Council.

Finalisation of the Proclamation that provides as follows:

"...The assets, rights and liabilities of the former Far North Coast County Council are transferred to Rous County Council or Kyogle Council or Tweed Shire Council as determined by agreement between Rous County Council, Kyogle Council and Tweed Shire Council".

Where the councils are unable to agree:

'...then any one or more of them may apply to the Minister to determine the assets, rights and liabilities of Far North Coast County Council that are to be transferred from Far North Coast County Council to any of them'.

Rous County Council has provided the finalisation of the Proclamation with reference to the assets and liabilities of Far North Coast County Council and an amount of \$117,571.28 has been determined to be payable to Tweed Shire Council. This amount has been determined by apportioning an amount of the written down value of non-current assets based on the weighted average of the annual revenue from constituent councils. This value appears to be a fair and reasonable apportionment payable to council and should be agreed to and the General Manager be authorised to sign the agreement.

With the dissolution of Far North Coast County Council a service level agreement has been agreed with Rous County Council for the provision of noxious weed services and the first progress report on the activities associated with this agreement are also attached to this report for the period 1 July 2016 to 31 December 2016.

OPTIONS:

Council accepts the finalisation of the dissolution of the far North Coast County Council and accepts the financial contribution in accordance with the Constituent Council contribution paid.

CONCLUSION:

That Council notes the:

1. Finalisation of the Proclamation with reference to Far North Coast County Council assets and accepts the amount of \$117,571.28 as full and final settlement of the dissolution of Far North Coast County Council and the General Manager be authorised to sign this acceptance.

2. Update on the status of the Service Level agreement for Weed Biosecurity and Associated Services provided by Rous County Council for the period 1 July 2016 to 31 December 2016.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

Proclamation under the Local Government Act 1993 issued 22 June 2016.

b. Budget/Long Term Financial Plan:

Will have an impact on the budget through the transfer of the appropriate financial contribution representing Council's proportion of the assets and liabilities of the former Far North Coast County Council.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION

- | | |
|---------------|--|
| Attachment 1. | Proclamation advising of Dissolution of Far North Coast County Council (ECM4117194) |
| Attachment 2. | Advice from Rous County Council - Finalisation of Proclamation Far North Coast County Council (ECM4484309) |
| Attachment 3. | Service Level Agreement – Weed biosecurity and associated services Rous County Council (ECM4484320) |
| Attachment 4. | Service Level Agreement Progress Report 1 July to 31 December 2016 (ECM4484166) |
-

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

8 [CNR-CM] Draft Commercial Recreation Use of Public Open Space Policy

SUBMITTED BY: Recreation Services

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
-

SUMMARY OF REPORT:

At its meeting held 16 March 2017 Council resolved as follows:

that the report titled Draft Commercial Recreation Activities on Public Open Space Policy together with the results of the public consultation to date be presented to the 20 April 2017 Council meeting for consideration.

The draft 'Commercial Recreation Activities on Public Open Space' Policy (the policy) is a response to community expectations and legislative requirements to manage commercial recreation activities on public open space. The policy was initially conceived primarily in response to the increasing use of parks for personal fitness trainers and the resultant conflicts with residents and other park users. As the policy was developed including an engagement process in 2015, the scope of the policy expanded in response to feedback and emerging park use issues.

The current Draft Policy addresses activities such as personal fitness trainers, surf schools, circuses and major tourist items such as inflatable water parks and temporary water slides. The Policy does not address standard commercial activities such as cafes, markets, mobile food vendors and the like. Other exclusions include use of jetties for water based tour operations and commercial tours of a transitory nature.

In addition to outlining the draft Policy and associated fees, this report discusses options for broader engagement with the community as the next phase in the policy development.

RECOMMENDATION:

That Council gives public notice of the draft Commercial Recreation Activities on Public Open Space Policy and advertises the draft policy for 28 days allowing 42 days for submissions.

REPORT:

Introduction

The draft 'Commercial Recreation Activities on Public Open Space' Policy (the policy) is a response to community expectations and legislative requirements to manage commercial recreation activities on public open space. The policy was initially conceived primarily in response to the increasing use of parks for personal fitness trainers and the resultant conflicts with residents and other park users. As the policy was developed including an engagement process in 2015, the scope of the policy expanded in response to feedback and emerging park use issues.

The current Draft Policy addresses activities such as personal fitness trainers, surf schools, circuses and major tourist items such as inflatable water parks and temporary water slides. The Policy does not address standard commercial activities such as cafes, markets, mobile food vendors and the like. Other exclusions include use of jetties for water based tour operations and commercial tours of a transitory nature.

In the absence of a policy prescribing a process for considering these proposals, they have been managed in an ad-hoc way. Generally, Council officers refuse such proposals based on historic Council decisions or the proposal appearing largely commercial in nature. Often this leads to the proponent approaching Councillors, placing Councillors in a difficult position requiring ad hoc notices of motion for proposals to be considered by Council.

Policy Consultation

Development of the policy began in 2014 with an extensive internal review process to identify potential issues and opportunities in developing a draft policy. A workshop was held with Council where it was agreed that an engagement process would be undertaken to develop and refine a draft policy.

An engagement plan was developed including:

- Placing information on Council's website
- Press release and Tweed Link article inviting comments and submissions
- A bulk mail out of 198 letters to specific target groups outlining the proposed policy and inviting them to comment or attend a workshop:

Sports clubs	36
Casual sports field users	13
Personal Trainers	33
Yoga teachers	9
Aquatic license holders	5
Wedding planners	13
Dog Trainers	13
Small-medium event organisers	39
Major event organisers	4
Markets	4
Community Associations	21
Surf Schools	5
Kayak Tours	1
Other – Fitness Australia	1
Other – Destination Tweed	1

- Three open stakeholder meetings.
 - Aquatic Licence holders
 - Personal Trainers
 - Other stakeholders

The feedback from the engagement is provided as an attachment to this report with the main issues summarised as:

- Strong support for a licensing system if:
 - Fees are kept low
 - Strong compliance action for non-complying operators
- There should be equity in the fees charged, and consideration be given to the size of the group and the impacts when determining the fee.
- A strong preference to support local operators and to avoid tenders.

Changes to Draft Policy since 2014

As is common when developing policy and strategy, the scope of the policy expanded in response to issues raised in the engagement process and also emerging issues where it was considered they may be appropriately managed through this policy. This included proposals such as "Aqua-Splash" and "dinner in the sky" at Jack Evans Boat Harbour.

Significant changes include:

- Additional examples of activities that may be addressed by the policy including:
 - water based inflatable fun parks;
 - surf schools;
 - circuses;
 - beach equipment hire, horse and camel rides etc.
- Addition of a section on Economic Benefits acknowledging some activities may have merit based on economic benefit accrued to Council or the community, provided these are not outweighed by social or environmental impacts.
- Additional wording saying "Council takes a conservative approach and will consider impacts before determining the suitability of an activity".
- Additional statement that for a major commercial recreation activity (measured by such factors as numbers attending, area required, duration of the activity or level of infrastructure involved), consideration will be given to:
 - the accessibility of the activity to the general public, and
 - the physical, social, cultural or intellectual benefits of the activity.
- New statement added "Occasionally key community information programs that don't involve recreation or park related activities may be run by private or commercial operators. Council will make a determination on the broad community benefit derived from such information programs when considering any approval". Example is the request for National Broadband Network promotional activities to use public parks for information programs

- New section on assessment that separates standard ongoing activities, particularly those with a social benefit (eg. personal trainers) from significant tourism or infrastructure activities such as aqua splash.
- Reduction of minimum distance from 100m to 50m to residences with an additional statement that Council will consider noise related issues when considering the suitability of a location for a Commercial Recreation Activity. The reduction is because there are very few parks in Tweed Shire that will allow a 100m buffer to residences.
- Change from “less than 5 participants” to “5 or less” will not need a license.

The Policy

The draft Policy proposes a licensing system for commercial recreation activities. Key elements of the Policy include:

- A license is required for group activities of a commercial nature (personal trainers, yoga etc.) if more than 5 participants are involved.
- Five or less participants, no license is required but the operator must still meet key requirements.
- Specific sites for activities are not nominated (exceptions apply e.g. non-motorised aquatic hire license). Rather, criteria such as ‘not within 50m of a residence’ are recommended.
- Some proposed activities will be assessed and determined by Council staff. These are mainly activities with a strong community or health benefit such as personal trainers. Activities that are primarily economic or tourism related or where the social or environmental impacts are considered significant, such as camel rides or major tourism infrastructure (inflatable water parks or dinner in the sky) will be referred to Council for determination.
- The Policy addresses when a tender process would be required.

Aspects of the draft Policy that may prove contentious are:

- Fees: Many activities that have not historically been regulated will be required to pay a licence fee, and application fees will be introduced. With the introduction of a licence system and associated fees there will be an expectation from the licensees that a high level of compliance will be provided, but a resistance to paying a fee that will represent full cost recovery.
- Determining the suitability of activities that provide an economic rather than a social benefit (camel rides, dinner in the sky, inflatable water parks) and the acceptable number of such licenses that can be issued without unacceptable impacts.

Fees

While fees have historically been included in the fees and charges for circuses, surf contests, weddings and similar, there has not previously been a fee or licence system for fitness classes and similar activities.

While there have been minor amendments and additions proposed to existing fees in the draft 2017-2018 fees and charges as highlighted in table 2, the addition of a fee structure for fitness classes will have the greatest impact and accordingly is discussed in detail below.

While fees are not nominated in the policy and are determined as part of the annual Council fees and charges process, determining a practical and equitable fee structure will be critical to the success of the policy. The options for setting fees for fitness classes etc. are outlined below:

Option 1: Full cost recovery:

This option would defray the administrative costs of a licencing system by setting application fees sufficient to cover those costs. This would equate to an annual licence fee of around \$700.

Given the magnitude of this figure it may not be considered equitable that all operators pay the same fee, irrespective of the duration, frequency and intensity of an activity. Commercial activities vary considerably ranging through aquatic hire operations, surf schools, commercial boat operators, and occasional commercial dog walkers together with a range of personal trainer activities.

Option 2: Revenue generation:

Create revenue from licencing with a fee structure greater than that required simply to cover licencing management costs considered above, possibly to be used for the maintenance of the open space network.

This would magnify the issues concerning equity between the varying duration, frequency and intensity of activities discussed in respect of option 1.

The resultant fee structure would depend on the amount Council considers would be appropriate for operators to contribute towards maintenance. However, a significant add-on component would be required to contribute any significant resources to the maintenance budget. For example based on 50 applications a year each \$100 additional fee would yield only \$5,000.

Option 3: Nominal fee structure to encourage compliance.

Some Council's interviewed during the preparation of the draft Policy indicated that in order to encourage compliance they simply charge a low flat rate rather than attempt full cost recovery. This reduces the risk of proponents of activities not seeking a licence because of costs, but increases the costs to Council and does not recognise the varying level of impact of different activities

Option 4: Tiered fee structure

If Council wishes to reflect the intensity of an activity in the fee structure and still retain a degree of administrative simplicity, a fee structure which provides a discount on current fees for infrequent or casual use may be considered acceptable.

- a fixed standard one-off application fee (\$88); and

- an activity fee
 - Low Frequency: 3 days or 10 hours/week or less (\$5/week - \$260/year); and
 - High Frequency: over 3 days or 10 Hours/week (\$10/week - \$520/year per week).

The feedback from the consultation period from personal trainers indicated an acceptance of paying a fee provided they are equitable and affordable; the figure expressed as being reasonable was in the order of \$200/year.

Whilst it is difficult to provide direct comparisons with other Council's due to differing fee structures and definitions, the following table shows a comparison of Tweed's proposed fees with those of other neighbouring Councils.

COUNCIL	ACTIVITY	FEE (annual)
Gold Coast City Council	Personal Trainers	\$200
Byron Shire Council	Commercial Temp Activity	\$148-\$312
Ballina Shire Council	Commercial activity low impact	\$600
Tweed Shire Council	Application fee (one off)	\$88
	High Frequency (over 3 days or 10 Hours/week)	\$520
	Low Frequency (3 days or 10 hours/week or less)	\$260

Table 1: Fee comparison for fitness class activities

Accordingly the fee structure illustrated in Option 4 is the recommended fee structure that is included in the 2017-2018 Draft Fees and Charges.

Casual Park Hire	17/18 fee	Notes	16/17 fee
Application fee (applies to a, b & c)	\$88		\$76 (not historically charged)
A) Crams Farm Dairy (exclusive use, includes power)	\$108	Per day	\$103
B) Wedding ceremonies	\$88	3 hours	\$76
C) Other small scale functions including team building activities.	\$88	3 hours	\$76
Commercial park hire			
Application fee	\$88		\$76 (not historically charged)
Commercial short term activity such as Circus, expos, major surf events etc.	\$250	Per day	\$196 1st day, \$109 subsequent days
Commercial short term activity such as Circus, expos, major surf events etc. – bump in/out days	\$125	Per day	New fee
Commercial activities considered high impact and/or major infrastructure	POA		New fee/item
Deposit bond (refundable)	\$1,290	Pay before bump in	No change

Casual Park Hire	17/18 fee	Notes	16/17 fee
Commercial park use license			
Category A (activities such as personal trainers and yoga classes)			
Application fee	\$88		New fee
Level 1: High frequency (over 3 days or 10 hours p/w)	\$520 annual	\$10 pw	New fee
Level 2: Low frequency, (3 or less days per week or 10 hours or less p/w)	\$260 annual	\$5 pw	New fee
Level 3: Short term limited period	\$64 pw		New fee
Category B (activities such as surf schools)	\$3,328 annual	\$64 pw	\$61: Item 106
Licensed activity compliance inspection			
Licensed activity compliance inspection fee	\$162		New fee

Table 2: Proposed 2017-2018 park hire fees and charges

Policy Exhibition

The Local Government Act requires Council policies to be advertised for 28 days allowing 42 days for submissions. The proposed fees as illustrated above are included in the 2017-2018 Draft Fees and Charges.

After considering all submissions received by it concerning the draft local policy, Council may decide:

- (a) to amend its draft local policy, or
- (b) to adopt it without amendment, or
- (c) not to adopt it, except where the adoption of criteria is mandatory.

If council decides to amend the draft policy, it may publicly exhibit the amended draft policy. If Council is of the opinion that the amendments are not substantial, it may adopt the amended draft local policy without public exhibition.

OPTIONS:

1. That Council gives public notice of the draft Commercial Recreation Activities on Public Open Space Policy and advertises the draft policy for 28 days allowing 42 days for submissions.
2. That Council does not gives public notice of the draft Commercial Recreation Activities on Public Open Space Policy
3. That Council determines another option

CONCLUSION:

The draft Commercial Recreation Activities on Public Open Space Policy was developed to address emerging conflicts with the increasing use of Council open space areas for commercial activities. While many of these activities may be considered beneficial to the community, the increasing numbers of activities and corresponding increasing conflict with casual park users and residents require a response.

Currently Council officers are making determinations in the absence of a considered and adopted Policy framework and have limited capacity to adequately respond to complaints. The resource impacts of implementing the Policy in comparison to resources currently applied to managing these issues are uncertain, but it is anticipated additional resources will be required to manage the increased administration requirements and expectation for compliance.

Placing the draft Policy and associated fees on exhibition will provide another opportunity for the community and stakeholders another opportunity to review the management framework and provide comment.

COUNCIL IMPLICATIONS:

a. Policy:

Draft Commercial Recreation Activities on Public Open Space Policy.

b. Budget/Long Term Financial Plan:

The impact of the Policy in terms of potential income from the introduction of a licencing system and fee structure is uncertain and dependent upon which fee structure is adopted.

The proposed fees represent a balance between full cost recovery and affordability for the providers, however the actual costs to implements in terms of expectations for compliance is difficult to determine. As the fees and charges are reviewed annually, if the policy and associated fee structure is adopted by Council, the impact and effectiveness can be measured and reviewed after a year and amended as required.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Involve/Collaborate-

An extensive engagement process was undertaken to develop the draft policy including specific stakeholder meetings. The exhibition period will allow further opportunity for submissions.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Draft Commercial Recreation Activities on Public Open Space Policy (ECM 4482892).

Attachment 2. Commercial Recreation Activities on Public Open Space Policy Public Consultation Report (ECM 4478815).

9 [CNR-CM] Carbon Disclosure Project and Funding for a Community Emissions Inventory

SUBMITTED BY: Natural Resource Management

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.1	Ensure actions taken and decisions reached are based on the principles of sustainability
1.1.3	Prepare for climate change through adaptation and mitigation strategies

SUMMARY OF REPORT:

A subsidy is available from the International Council for Local Environmental Initiatives (ICLEI Oceania) for environmental consultants, Ironbark Sustainability, to prepare community greenhouse gas inventories. ICLEI Oceania is offering \$2,000 towards the \$5,000 cost of preparing the inventory.

To be eligible for the funding, councils join the free Global Covenant of Mayors (CoM) for Climate & Energy, and share information about:

- The greenhouse gas emissions inventory for their local government area (LGA)
- The climate hazards faced by their LGA
- Their target to reduce greenhouse gas emissions
- The climate vulnerabilities faced by their area
- Plans to address climate change mitigation and adaptation

Council is well-placed to meet most of the criteria of CoM and would benefit from the external resources and expertise to complete the community greenhouse gas emissions inventory.

Joining the CoM and updating our community greenhouse gas emissions inventory aligns with many community and Council's priorities, plans and projects.

RECOMMENDATION:

That Council:

- 1. Accepts the offer of support from ICLEI Oceania to complete an updated community greenhouse gas emissions inventory and allocates the additional \$3,000 from the Climate Change Fund.**

2. Joins the Global Covenant of Mayors (CoM) for Climate & Energy.
3. Requests an annual update about Council's progress in meeting the requirements of the covenant.

REPORT:

Introduction

A subsidy is available from the International Council for Local Environmental Initiatives (ICLEI Oceania) for environmental consultants, Ironbark Sustainability, to prepare community greenhouse gas inventories. ICLEI Oceania is offering \$2,000 towards the \$5,000 cost of preparing the inventory.

Inventories are prepared using the Global Protocol for Community-scale Greenhouse Gas Emissions (GPC 2.0). Having an inventory would enable Council to:

- review the Tweed Council and Community Climate Change Action Plan and greenhouse gas reduction target.
- build awareness and understanding about the level of greenhouse gas emissions from the Tweed and generate community action and commitment to reduce this.
- support community initiatives to reduce impacts on climate change.

To be eligible for the funding, Council would join the free Global Covenant of Mayors (CoM) for Climate & Energy, and share information about:

- The greenhouse gas emissions inventory for our local government area (LGA) consistent with the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories (GPC), within one year or less
- The climate hazards faced by our LGA, within one year or less
- Our target to reduce greenhouse gas emissions, within two years or less
- The climate vulnerabilities faced by our city, within two years or less
- Our plans to address climate change mitigation and adaptation within three years or less.

Background

In February 2017 Council received a request to report the shire's climate-related data as part of the Carbon Disclosure Project (CDP). The CDP is the world's largest climate change reporting system, with more than 500 cities, 100 states and regions and 5,800 companies reporting data annually.

The CDP is the official reporting program of the Global Covenant of Mayors (CoM) for Climate & Energy. The CoM is the largest global coalition of civic leaders committed to climate leadership. Over 7,100 committed areas from 119 member countries form the largest global network of councils leading actions to respond to climate change. There are 14 Australian councils that are members of the CoM, including Sydney, Melbourne, Byron Shire and Cairns Regional councils.

The CoM is intended to assist local government agencies around the world to achieve their goals in climate change mitigation and adaptation by:

- (a) providing technical guidance;
- (b) supporting the establishment of open and compatible data as well as reporting, aggregating and monitoring of results at the global level;
- (c) facilitating coherence amongst regions, ensuring the exchange of and visibility of best practices, promoting compatible methods and common objectives, and
- (d) serving as a common global voice and outreach, promoting the Covenant at all levels.

Links to other strategies, programs and projects

Joining the CoM and updating our community greenhouse gas emissions inventory aligns with:

- the Community Strategic Plan, action 1.1.3, Prepare for climate change through adaptation and mitigation strategies
- the Tweed Economic Development Strategy, action 10.3.1 Sustainable Industries through programs to enhance business environmental performance
- the Tweed Community Greenhouse Gas Reduction Local Action Plan 2003, which commits to a 20% reduction in corporate and community greenhouse gas emissions by 2010, based on 1996 emission levels
- the Tweed Sustainable Agriculture Strategy Objective 2.1 to help farmers sequester carbon emissions in soils and vegetation by accessing information, technology and funding to improve land management
- the preparation of a Renewable Energy Action Plan to describe Council's approach to greater use of zero-emissions electricity
- a community-led project getting underway to describe what a zero-emissions future could look like in the Tweed.

Commitment required

If the ICLEI-subsidised assistance is accepted, Council could fully comply with CoM requirements based on resources allocated within Council's Sustainability Program.

CoM requirements	Current status	Resource implications
Letter of intent	Not started: Draft letter provided by ICLEI Oceania, see example below.	Negligible
Community greenhouse emission inventory within one year	Incomplete: 1996 inventory data is out of date. Significant work and expertise is required to collate current data consistent with the GPC	\$3,000 from Council's Climate Change Fund: cost to Council if ICLEI Oceania funding accepted. Ironbark Sustainability would complete the inventory in 5-6 weeks.
Hazards assessment	Complete: Regional hazards described in the 2016 North Coast Integrated Regional Vulnerability Assessment	Nil
Greenhouse gas emissions reduction target within two years	Incomplete: Council's Renewable Energy Action Plan is due for completion in 2016/2017, and will help set emission reduction targets for Council.	In-kind: Council's Sustainability Program has a project set for 2017/2018 to outline potential community emissions reductions and targets.
Climate vulnerability assessment	Complete: Regional vulnerabilities described in the 2016 North Coast Integrated Regional Vulnerability Assessment.	State support: Potential help has been offered from Office of the Environment to better describe Tweed's climate adaptation priorities.

CoM requirements	Current status	Resource implications
Climate Action Plan within three years	Incomplete: 2003 Action Plan is out of date.	In-kind: Revised Tweed Climate Action Plan to be undertaken as part of Council's Sustainability Program in 2018/2019.

Example of Intent Letter:

Template letter of intent

Compact of Mayors
 ICLEI Oceania Secretariat
 PO Box 24263 Melbourne 3001
 Victoria Australia
 oceania@iclei.org

Letter of Intent

Compact of Mayors

Global Covenant of Mayors for climate and energy

I hereby declare the intent of <insert> to comply with the Compact of Mayors, the world's largest cooperative effort among mayors and city leaders to reduce greenhouse gas emissions, track progress, and prepare for the impacts of climate change.

The Global Covenant of Mayors for climate and energy is the new partnership between the Compact of Mayors and the Covenant of Mayors. The Compact has defined a series of requirements that cities are expected to meet over time, recognizing that each city may be at a different stage of development on the pathway to compliance with the Compact.

We commit to advancing the <insert> along the stages of the Compact, with the goal of becoming fully compliant with all the requirements within three years. Specifically, I pledge to publicly report on the following within the next three years:

- The greenhouse gas emissions inventory for our city consistent with the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories (GPC), within one year or less
- The climate hazards faced by our city, within one year or less
- Our target to reduce greenhouse gas emissions, within two years or less
- The climate vulnerabilities faced by our city, within two years or less
- Our plans to address climate change mitigation and adaptation within three years or less

Yours Faithfully,

City details

March 2017

OPTIONS:

1. Do not update the Tweed community greenhouse gas inventory nor participate in the CoM.

Implications: Programs targeted at reducing community greenhouse gas emissions may be misdirected and therefore ineffective if Council relies on the current 1996 inventory from the Tweed Climate Change Action Plan.

2. Prepare an updated community greenhouse gas inventory, using our own funding and expertise.

Implications: Staff resources will not be available to complete an updated community emissions inventory until 2017/2018, and staff will need to assign funding and seek the assistance of GPC-compliant third party expertise to complete the inventory at that time.

3. Apply for ICLEI Oceania funding assistance to engage Ironbark Sustainability to complete a community greenhouse gas inventory, and participate in the CoM.

Implications: Up to date information, compiled by leading practitioners using world's best practice techniques, will be available to inform emissions reduction plans and actions.

CONCLUSION:

Joining the CoM and accepting the ICLEI Oceania offer of funding for an updated community greenhouse gas emissions inventory is recommended. A revised inventory would improve the information available to our local community and Council as we seek to mitigate further impacts on climate change, and make our community and natural environment more resilient to the anticipated increase in frequency and severity of adverse climate impacts in our region.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

Community Strategic Plan

Tweed Community Greenhouse Gas Reduction Local Action Plan 2003

Tweed Economic Development Strategy 2014

Tweed Shire Council Environmental Sustainability Prioritisation Strategy 2015

Tweed Sustainable Agriculture Strategy 2016

b. Budget/Long Term Financial Plan:

\$3,000 from Council's Climate Change Fund.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Empower-We will give the community greater opportunity to participate in a transparent flow of information and feedback to Councillors who have been empowered as the Community representatives to make decisions in accordance with the Local Government Act 1993.

Making an updated community greenhouse gas emissions inventory available on the public CDP website will enable more informed dialogue between all sectors of the Tweed community about effective ways to reduce emissions.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR ENGINEERING

10 [E-CM] RFO2016187 Provision of Goods and Materials - Supply of Plant and Vehicle Service Filters (Preferred Supplier Agreement)

SUBMITTED BY: Infrastructure Delivery

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.1 Ensure actions taken and decisions reached are based on the principles of sustainability
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

Request for Offer – Preferred Supplier Agreement RFO2016187 was called to engage suitably qualified and experienced service providers for the Supply and Delivery of Plant and Vehicle Service Filters.

At the closing time for offer submissions, Six (6) Offers were received for Supply and Delivery of Plant and Vehicle Service Filters.

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

RECOMMENDATION:

That in respect to offer RFO2016187:

1. Council awards the Contract RFO2016187 'Supply and Delivery of Plant and Vehicle Service Filters' to Gibbs Traders Pty Ltd (ABN 66 639 736 313, ACN 639 736 313) for the agreed discount from retail included in their offer, for an estimated annual spend of \$56,874.35 (Exclusive of GST). The Contract term will be for a period of 24 months with a further possible 1 x 24 month extension option available to be exercised at Council's sole discretion at the end of the initial Contract term.
2. Council invites GPC Asia Pacific Pty Ltd (ABN 97 097 993 283, ACN 097 993 283) as a secondary supplier of filters to Council as per contract brief.

3. **The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.**

4. **ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because they contain:-**
 - (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 – Preferred Supplier Agreement RFO2016187 was called to engage suitably qualified and experienced service providers for the Supply and Delivery of Plant and Vehicle Service Filters.

The Contract term will be for a period of 24 months. A further possible 1 x 24 month extension option will be available to be exercised at Council's sole discretion at the end of the initial Contract term. Council will take into consideration the quality of service and product provided during the initial Contract term and the rates proposed for the period of the extension when determining whether to exercise the extension option.

Council currently holds \$60k of various filters in stock and has an estimated annual spend of \$100k.

The successful bidder for the Supply and Delivery of Plant and Vehicle Service Filters will supply Council the majority of ordered filters within two days and the balance within five working days. All filters and associated products will be supplied at an agreed discount from retail price.

Expected savings to Council are significant based on opportunity cost, discounted purchase price for bulk purchasing and releasing approximately 50M² of shelving space in Council stores.

The work to be performed includes provision of all labour, plant and materials. The Request for Offer is inclusive of all operations of whatever kind necessary for the complete and proper manufacture and supply of Plant and Vehicle Service Filters.

Offer Advertising

Offer RFO2016187 Supply and delivery of Plant and Vehicle Service Filters was officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005, and as per Councils Procurement Protocol Version 1.8. The offer document was advertised on Councils 'Offers' website on 05 December 2016.

Offer submissions closed at 4.00pm (local time) on 11 January 2017 in the Tender Box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

Offer Addendums

There were no Addendums issued before close of offer.

Offer Submissions

At the closing time for Offer submissions, six submissions were recorded at the Tender box opening and their details are as follows:

Suppliers	ABN	ACN
Murwillumbah Truck Centre	72 001 859 454	001 859 454
Komatsu Australia Pty Ltd	71 143 476 626	143 476 626
K.C Farm Equipment	22 010 879 848	010 879 848
Conplant Pty Ltd	15 000 373 151	000 373 151
Gibbs Traders Pty Ltd	66 639 736 313	639 736 313
GPC Asia Pacific Pty Ltd	97 097 993 283	097 993 283

Late and/or Non-Conforming Offers

Of the six (6) submissions, All submissions were deemed compliant against Councils 'Conditions of Contract' and Technical Specification. There were no late offers.

Evaluation Summary

Details of the price and non-price evaluation scoring are shown on the attached Offer Evaluation Scoresheets. The total score and verification of offer conformity for the Supply and delivery of Plant and Vehicle Service Filters are shown in the tables below:

Bidder	Submissions	Compliant Submissions	Offer Conformity Notes
GPC Asian Pacific	1	1	Fully Compliant
Gibbs Traders Pty Ltd	1	1	Fully Compliant
Conplant Pty Ltd	1	1	Fully Compliant
KC Farm Equipment	1	1	Fully Compliant
Komatsu Australia Pty Ltd	1	1	Fully Compliant
Murwillumbah Truck Centre	1	1	Fully Compliant – Heavy Vehicle section only

Post Offer Correspondence

Nil.

Offer Evaluation Panel

Councils Evaluation Panel was made up as follows:

Position
Fleet Administration Officer
Fleet Plant Maintenance Technician
Operations Coordinator - Plants and Materials

Evaluation Criteria

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

Criterion	Document Reference	Weighting (%)
Value for money – Discounted Value	Section 2.7.4	60
Compliance with specifications	Section 2.7.4	10
Quality of product and service	Section 2.7.4	10
Environmental Compliance	Section 2.7.4	10
Local Content	Section 2.7.4	10

Evaluation Discussion

Price Criterion

Council's price evaluation compared costing supplied from all 6 x offers. The price comparison criteria used is listed as follows.

1. Pricing (including discount from retail) for two hundred and fifty five filters.

2. Make and cross referenced number requested.
3. Best price for each filter awarded one point.
4. Second best price for each filter awarded half a point.
5. Points converted to a percentage, tallied and rationalised to a score out of sixty.
6. Costing from the two highest scoring offers compared to recent (last three months) in store filter purchases.
7. Recent costing compared to offer pricing and converted to a percentage saving for suppliers nominated filters.
8. Estimated annual spend of one hundred thousand dollars used as starting point.
9. Starting point multiplied by saving percentage and converted to a dollar figure.
10. Non-nominated filters added at full cost to nominated filter dollar figure.
11. Resulting dollar figure represents a projected annual spend.

Non-Price Criteria

Council evaluated non-price criteria using the following factors.

1. Compliance to Council specifications.
 - a) Percentage of availability (number of filters quoted on out of the total two hundred and fifty five requested).
 - b) Delivery within Councils requested time frames.
2. Quality of filters – Warranted by Original Equipment Manufacturer (OEM) and Manufacturer warranty.
3. Environmental policy and practices.
4. Local content.

Safety and Risk

The recommended offer requires Council to move from more recognised filter brands (in many applications) to a less well-known brand. Councils research has demonstrated that the Sakura company manufactures many OEM and third party filters. OEM's such as Toyota, Honda, Hino, Mitsubishi, Nissan and many more have used Sakura filters for over twenty years.

Sakura's parent company is the ADR Group of Companies and is the largest manufacturer of oil, air and fuel filters in the Asian Pacific region.

As such Council deems that there is minimal risk in the common use of the Sakura filters. However it is prudent to limit risk and as such it is recommended that a secondary supplier be recommended as per Councils RFO2016187.

OPTIONS:

1. Council accepts the recommendation to award the contract to Gibbs Traders Pty Ltd (ABN 66 639 736 313, ACN 639 736 313) for the 'Supply and delivery of Plant and Vehicle Service Filters
2. Council invites GPC Asia Pacific Pty Ltd (ABN 97 097 993 283, ACN 097 993 283) to be a secondary provider in accordance with the contract brief
3. Council awards the contract to another supplier, or

4. Council does not proceed with the contract and advises the suppliers of the reasons for not proceeding.

CONCLUSION:

The offer submitted for the supply of Plant and Vehicle Service Filters (Preferred Supplier Agreement) by Gibbs Traders Pty Ltd presents the best value to Council.

That Council invite GPC Asia Pacific Pty Ltd (ABN 97 097 993 283, ACN 097 993 283) to be a secondary provider as per contract brief.

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation have been conducted in accordance with the provisions of:-

- The Local Government Act 1993 and the NSW Local Government (General) Regulation 2005
- Council's Procurement Policy v1.6

b. Budget/Long Term Financial Plan:

2016/2017 Fleet Budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2016187 - Offer Evaluation Report (ECM4482512).

(Confidential) Attachment 2. RFO2016187 - Offer Evaluation Scoring Card (ECM4482423).

11 [E-CM] Landscaping - Northbound Service Centre, Chinderah

SUBMITTED BY: Director

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.2	Improve decision making by engaging stakeholders and taking into account community input
1.2.1	Council will be underpinned by good governance and transparency in its decision making process

SUMMARY OF REPORT:

This report is resubmitted for Council's consideration in accordance with the following resolution of Council from its meeting held 16 March 2017:

"RESOLVED that this item be deferred to 20 April 2017 Council Meeting."

At its meeting of 2 February 2017 Council resolved as follows:

"RESOLVED that Council brings forward a report to the Council meeting on 16 March 2017 that includes:

1. *The potential to enhance the landscaping at the new north bound service station at Chinderah.*
2. *The capacity for Council to require/request the developer to undertake this enhancement.*
3. *Preliminary cost estimates if Council was to undertake this enhancement.*
4. *Developing a policy to ensure dense landscaping, where appropriate, is prioritized in the future."*

There is potential to enhance the landscaping at this location on those areas controlled by Council, namely the roundabout and southern approaches and possibly those areas controlled by the Roads and Maritime Services (RMS), namely the northern approaches to the roundabout.

The Applicant has met all of their obligations for landscaping as required by the Development Consent with the exception of clarification of Lilli Pilli species being free from Myrtle Rust and the minimum percentage of locally occurring native species. The Applicant is unwilling to undertake any additional enhancement given the significant level of landscaping completed to date.

Cost to undertake additional landscaping would be in the order of \$20,000 to \$100,000 depending of the level of embellishment including the cost of preparing a landscape plan and community consultation.

The development of a policy to ensure dense landscaping where appropriate is not considered necessary as there would be limited application of such a policy and each site would have differing requirements. The implementation of such a policy would also be open to significant interpretation.

RECOMMENDATION:

That Council notes the report and officers monitor the progress of growth of the landscaping work and determine at a future date the need or otherwise for enhancement of the landscaping on the public land surrounding the northbound service centre on the motorway at Chinderah.

REPORT:

Development Application and Strategic Planning Context

Council received a combined Planning Proposal and Development Application on 28 August 2013 for a Highway Service Centre and was first reported to the Planning Committee Meeting of 21 November 2013. The matter was deferred for a workshop which took place on Thursday 5 December 2013.

A further report to the Planning Committee Meeting of 12 December 2013 addressed matters raised by Council and generally in relation to the key evaluation aspects of the combined land rezoning and development application (DA). Council resolved to prepare a planning proposal and concurrently exhibit the proposal and DA.

At the Planning Committee Meeting of 7 August 2014 Council considered a report detailing the public submissions received during its public exhibition between Wednesday 23 April and Monday 26 May. The report noted that a total of seven submissions were received; three from community members and four from public agencies. In particular, two submissions raised concern, among others, about visual impact. One was more specifically related to the visual impact on the adjacent Melaleuca Station Crematorium and Memorial Gardens, but noted there was a lack of appropriate detail in the visual impact assessment and landscaping plan that would otherwise ensure the visual impact would be adequately addressed. The second more specifically objected to there being a likely visual impact on the rural landscape, based on the proposal / information provided.

While there is a further discussion of these points in the 7 August report, the salient aspect is that Council resolved to proceed with making the draft LEP zoning to facilitate the new highway service centre, subject to an additional resolution to those recommended by the Planning staff to specifically address those concerns and to ensure that further consideration of the landscaping was undertaken as part of the DA assessment. Notably, the landscaping was to have a local context reflecting the areas landscape 'values', as illustrated in the resolution:

- “3. Council is of the view that a very high standard of landscaping needs to be provided due to the location of this key site and the need to reflect the values of the National Iconic Landscape Values of the Shire.”

The draft Local Environmental Plan was made on 15 March 2015.

Following Council's resolution, the Applicant prepared and submitted a landscape plan that had a design based on the unique landscape rock formation located in Fingal Head. As noted on the Geological sites of NSW website:

(<http://www.geomaps.com.au/scripts/finglehead.php>).

The area is referred to as a 'mini Giant's Causeway, which is said to boast some of the most spectacular examples of columnar jointing to be found in the whole of NSW. The discussion and photo imagery on the Geological sites of NSW website further elucidates and describes the importance of this landscape and assists with highlighting why the Landscape Architect has elected to base their landscape design for the most prominent public space on the spectacular columnar basalt lava landscape, which was considered to adequately address

the concern raised and Council's resolution with respect to showcasing and reflecting the iconic landscape values of the Shire.



Images: Geological sites of NSW (<http://www.geomaps.com.au/scripts/finglehead.php>)

Discussion

Landscaping at the Service Centre site has been undertaken in accordance with the Development Consent and subsequently the landscaping plans prepared and submitted by the Applicant and approved by various authorities. For those sections of landscaping within the private property the landscaping plan was approved by a Private Certifier. The landscaping plan for the slip lane and northern approaches to the roundabout was approved by Roads and Maritime Services (RMS) and the landscaping plan for the roundabout and southern approaches was approved by Tweed Shire Council. There have been over 20,000 plants established on or adjoining the site including Bangalow Palms, Lilly Pillies, Tuckeroos, Blueberry Ashes and Whiteoaks. An inspection of the site indicates compliance with the plans and consent conditions. Approximately 20,205 plants are nominated in the onsite landscaping plan of which 16,164 (80%) are required to be native local species and 4041 (20%) other species. The plan indicates 5159 (25%) other species however it appears that 2122 *Liriodendron* (evergreen giants, non-native) have not been planted. Accordingly, if this is the case, the landscaping currently complies with the 80% native species consent requirement. Confirmation has been sought from the Applicant for compliance with this condition along with confirmation that the Lilly Pilly varieties are not potential hosts for Myrtle Rust.

It is the officers' view that given time and the opportunity for the plants to grow and mature, that the landscaping is appropriate for the site and the nature of the development being a large scale motorway car and truck stop. In the assessment of the development and subsequent landscaping plans consideration was not given to this site providing an entry statement to the shire which would appear to be the sentiment expressed by Councillors and the community at the 2 February meeting. The landscaping provided on the public land is considered appropriate from a road maintenance perspective as there is minimal work required to control weeds and vegetation particularly in the roundabout where the rocks are used as an alternative to mulch and grass. From a traffic operations perspective the sight lines in and around the roundabout are also clear providing a safe environment for drivers. It is envisaged that when the trees mature that sight lines will still be appropriate.

Initial contact with the Applicant indicates that they are unwilling to volunteer additional enhancement of the site. The Applicant has met all of their obligations under the Consent

and there is no requirement nor can Council enforce a requirement for any further embellishment.

Council could undertake work within the road reserve under Tweed Shire Council (TSC) control, including the roundabout, and with their agreement within the road corridor controlled by RMS. Council would be unable to undertake any work on private property. Work within the public lands could cost anywhere between \$20,000 and \$100,000, depending on the level of embellishment required by Council and could only be undertaken following the completion of the defects period of the development (24 months) unless Council accept ongoing responsibility for the landscaping and waive the defect period. A suitable landscaping plan would need to be prepared by Council and given the level of interest, community engagement would be essential in developing any landscaping embellishment.

As this work would be the embellishment of a road corridor, funding would likely be sourced from Council's Road Program. Whilst not a large amount of money this would have the impact of lowering Council's Renewals Ratio below the 100% required for Fit for the Future or reducing the level of maintenance to roads and road side areas such as mowing, weed control and repair of potholes.

Council could resolve as a policy position for this scale and type of development to provide "dense landscaping". In this situation the density of planting is considered appropriate for the site as over 20,000 trees and shrubs have been planted. It would appear that the level of maturity of the plants is the issue as some sections of the site do look sparsely vegetated. Nonetheless, in time, the site will significantly improve and those species which have been planted will grow to a size and scale suitable for the location. If Council is of the view that more mature plants should be planted for these types of developments then this would improve the initial appearance of a site however would increase the risk of plant mortality and limit the ultimate growing potential of the trees. Experience has shown that younger plants have a higher survival rate and a greater growth potential than more mature plants.

There are limited resources internally to undertake detailed assessments of landscaping plans based on defined Council policies for new development. Currently for developments such as this Council refers plans to qualified staff who have occasional spare capacity to undertake such reviews. There is a heavy reliance on the development industry to develop designs which are appealing and showcase the site.

OPTIONS:

1. Council note the report and officers monitor the progress of growth of the landscaping work and determine at a future date the need or otherwise for enhancement of the landscaping on the public land surrounding the northbound service centre on the motorway at Chinderah.
- 2a. Council officers prepare concept designs in consultation with the community to enhance the landscaping on the public land surrounding the northbound service centre on the motorway at Chinderah including, if possible land, controlled by the Roads and Maritime Services based on a total budget of \$20,000 to be drawn from the 2016/17 Roads program.

- 2b. Council adopts a policy to consider dense landscaping, where appropriate, on public land for development of large scale commercial and business sites where there is a potential impact on the broader natural landscape.

CONCLUSION:

Landscaping for the northern service centre on the motorway at Chinderah includes the planting of over 20,000 plants of which 80% are locally occurring natives. Whilst the design for the site did not give consideration for this to be an entry statement to the Tweed Valley, it does showcase the iconic landscape values of the shire.

Land on the site is controlled by three separate entities namely RMS, TSC and the Applicant for the development. The landscaping plans and works were approved by the various entities, including a private certifier for the work on private land, and are generally in accordance with the Development Consent.

From a road maintenance and traffic operations perspective, the landscaping work is considered appropriate with good sight lines and minimal maintenance required to control weeds and to manage vegetation.

The Applicant is unwilling to undertake any further landscaping enhancement as they have invested a substantial amount of money in the current design and have complied with the Development Consent.

Whilst further enhancement of the site could be undertaken by Council, at its cost, at this stage Option 1 is recommended.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

If Council was to support Option 2a the financial impact would be in the order of \$20,000 plus ongoing maintenance costs in the order of \$1,000 to \$5,000 per year. As this work is contained within the road reserve, the budget for this would likely be drawn from the Roads program and have a negative impact on the Infrastructure Renewals Ratio or reduce the level of maintenance to other roads and road side areas such as mowing, weed control and repair of potholes.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

If Option 2 is chosen, extensive consultation will be required to ensure community support for the enhancement of vegetation in the road corridor.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

12 [E-CM] RFO2016192 Panel of Providers for Soil Testing and Geotechnical Services

SUBMITTED BY: Infrastructure Delivery

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.3	Ensure local streets, footpaths and cycleways are provided, interconnected and maintained

SUMMARY OF REPORT:

Request for Offer RFO2016192 Panel of Providers for Soil Testing and Geotechnical Services was called to engage a suitably qualified and experienced panel of providers to perform soil testing and geotechnical service as needed over a period of 2 years. The annual budget for works under this proposed contract is \$200,000. This amount is based on the services provided under the previous 2 year Panel of Provider Soil testing contract EC2014-052.

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

RECOMMENDATION:

That in respect to Contract RFO2016192 Panel of Providers for Soil Testing and Geotechnical Services:

- 1. Council approves formation of a Panel of Providers including Border-Tek Pty Ltd; Cardno Construction Sciences (Gold Coast Office); Core Consultants Pty Ltd; Douglas Partners Pty Ltd; Maiden Geotechnics; Regional Geotechnical Solutions Pty Ltd; SMEC Australia Pty Ltd. And that Council gives no Guarantee to any amount of works under this Panel of Providers contract agreement.**
- 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. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (d) **commercial information of a confidential nature that would, if disclosed:**
 - (i) **prejudice the commercial position of the person who supplied it, or**
 - (ii) **confer a commercial advantage on a competitor of the council, or**
 - (iii) **reveal a trade secret.**

REPORT:**Offer Background**

Request for Offer RFO2016192 Panel of Providers for Soil Testing and Geotechnical Services was called to engage a suitably qualified and experienced panel of providers to perform soil testing and geotechnical service as needed over a period of 2 years.

The annual budget for works under this proposed contract is \$200,000. This amount is based on the services provided under the previous 2 year Panel of Provider Soil testing contract EC2014-052.

Offer Advertising/Distribution

As the annual budget and total contract budget will be above \$150,000, the Offer was invited in accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005 and the Tendering Guidelines for NSW Local Government. The Offer was officially advertised on Tuesday 20 December 2016 in The Sydney Morning Herald and also on 19 December 2016 in the TweedLink.

Offer Addendums

There was 1 Offer Addendum (Notice to Bidders) issued before close of Offer to advise Bidders that Council has decided to set service level timing criteria and seek pricing to be used for the period that the panel of providers is engaged. This will ensure testing turnaround times are not a cause of unnecessary project delay and will also put an emphasis on the Council staff to organise their testing requirements earlier. The notice also provided an extension to the offer period and the new closing time was set as 4:00pm 25 Jan 2017.

Offer Submissions

Offer submissions closed at 4.00pm (local time) on 25 January 2017 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. At the closing time for Offer submissions, the Tender Box was opened and 7 Offers were recorded as below:

Bidder	ABN	Offered Amount
Border-Tek Pty Ltd	35 154 498 156	Schedule of Rates
Cardno Construction Sciences (Gold Coast Office)	74 128 806 735	Schedule of Rates
Core Consultants Pty Ltd	75 603 384 050	Schedule of Rates
Douglas Partners Pty Ltd	75 053 980 117	Schedule of Rates
Maiden Geotechnics	76 094 638 525	Schedule of Rates
Regional Geotechnical Solutions Pty Ltd	51 141 848 820	Schedule of Rates
SMEC Australia Pty Ltd	47 065 475 149	Schedule of Rates

A non-conforming offer was also received from Morrison Geotechnic Pty Ltd. The offer was not submitted in accordance with the offer submission conditions and as such was not considered during evaluation.

Offer Evaluation Panel

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

Position
Engineer Contracts
Technical Officer Quarry Operations and Quality Control

Evaluation Method

Being an offer to form a panel of providers, the standard evaluation criteria were not used. Instead, each bidder was assessed on their expertise and NATA accreditation and if these were deemed acceptable they were eligible to become a panel member.

As stated in the contract, **Council gives no Guarantee to any amount of works under this Contract** so panel members may not get any work at all if their pricing is not competitive.

Once the panel has been approved, Council staff will approach panel members to perform work based on the best pricing and test turnaround performance criteria. Purchase orders will be raised upon receipt of invoices rather than creating upper limit purchase orders.

Evaluation Summary

All 7 bidders were considered suitably experienced and accredited. All provided evidence of current insurance.

Recommended

It is recommended that:

All bidders for RFO2016092 are accepted as Service Providers on a Panel of Providers arrangement for a 2 year period (commencing on the date of the Letter of Acceptance issued by Council).

The annual budget for works under this proposed contract is noted as \$200,000. This amount is based on the services provided under the previous 2 year Panel of Provider Soil testing contract EC2014-052.

OPTIONS:

That Council:

1. Awards the contract as a Panel of Providers arrangement to the following companies:

Bidder	ABN	Offered Amount
Border-Tek Pty Ltd	35 154 498 156	Schedule of Rates
Cardno Construction Sciences (Gold Coast Office)	74 128 806 735	Schedule of Rates
Core Consultants Pty Ltd	75 603 384 050	Schedule of Rates
Douglas Partners Pty Ltd	75 053 980 117	Schedule of Rates
Maiden Geotechnics	76 094 638 525	Schedule of Rates
Regional Geotechnical Solutions Pty Ltd	51 141 848 820	Schedule of Rates
SMEC Australia Pty Ltd	47 065 475 149	Schedule of Rates

2. Awards the Contract to a different Bidder, including reasons for this course of action.
3. Declines to accept any of the Offers, including reasons for this course of action.

CONCLUSION:

It is recommended that all bidders for RFO2016092 are accepted as Service Providers on a Panel of Providers arrangement for a 2 year period (commencing on the date of the Letter of Acceptance issued by Council).

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation have been conducted in accordance with provisions of:

- Local Government Act 1993 and NSW Local Government (General) Regulation 2005.
- Council's Procurement Policy v1.6.

b. Budget/Long Term Financial Plan:

Provision for RFO2016192 Panel of Providers for Soil Testing and Geotechnical Services is included in the 2016/2017, 2017/2018 and 2018/2019 Operational Budgets.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2016192 - Offer Evaluation Report (ECM 4450818).

13 [E-CM] EC2014-184 Biosolid Removal from Wastewater Treatment Plants for use Outside TSC Boundary

SUBMITTED BY: Water and Wastewater

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.3	Provision of high quality and reliable wastewater services which meets health and environmental requirements and projected demand

SUMMARY OF REPORT:

Contract EC2014-184 Biosolid Removal from Wastewater Treatment Plants for use Outside TSC Boundary was approved at Council Meeting of 16 April 2015. The contract has a 2 year contract period and will expire on 20 April 2017.

Contract documents for EC2014-184 included a clause stating the contract was valid for a period of two (2) years with an option, subject to an agreement of both parties, to extend the Contract period for a further one (1) year and again subject to agreement of both parties, to extend the Contract period for a further one (1) year.

This Report identifies that the work under contract has been completed satisfactorily to date and seeks Council endorsement to allow officers to extend the contract for an additional one (1) year until 20 April 2018. A CPI adjustment to the rates has been calculated.

RECOMMENDATION:

That, in respect to Contract EC2014-184 Biosolid Removal from Wastewater Treatment Plants for use Outside TSC Boundary:

- 1. Council grants a 1 year extension to contract to Arkwood (Gloucester) Pty Ltd (T/A Arkwood Organic Recycling) ABN 70 055 370 486, ACN 055 370 486 with contract rates adjusted per CPI calculations as tabled below (Exclusive of GST):**

ITEM	DESCRIPTION	UNIT	ORIGINAL CONTRACT AS OFFERED RATE ONLY (Excl GST)	1 Year EXTENTION CPI ADJUSTED RATE ONLY (Excl GST)
1	Biosolids, loaded from Contractor's hopper, removed from Banora Point WWTP and used outside of Tweed Shire.	Wet tonne	\$69.00	\$71.20
2	Biosolids, loaded from Council hopper, removed from Kingscliff WWTP and used outside of Tweed Shire	Wet tonne	\$67.00	\$69.13
3	Biosolids, loaded at Murwillumbah WWTP and used outside of Tweed Shire	Wet tonne	\$83.05	\$85.69
4	Biosolids, loaded at Hasting Point WWTP and used outside of Tweed Shire	Wet tonne	\$83.05	\$85.69

2. The General Manager be granted delegated authority to approve appropriately deemed variations to the contract and those variations be reported to Council six monthly and at finalisation of the contract.

REPORT:

Background

This tender was called to engage a suitably qualified and experienced organisation to collect, transport and beneficially use Biosolids produced from the Tweed Shire Council's Wastewater Treatment Plants in an Environmentally Sustainable manner that complies with the requirements of the relevant State Environment Protection Authority.

Contract EC2014-184 Biosolid Removal from Wastewater Treatment Plants for use Outside TSC Boundary was approved at Council Meeting of 16 April 2015. The contract has a 2 year contract period and will expire on 20 April 2017.

The contract documents for EC2014-184 included a clause stating the contract was valid for a period of two (2) years with an option, subject to an agreement of both parties, to extend the Contract period for a further one (1) year and again subject to agreement of both parties, to extend the Contract period for a further one (1) year.

This extension component was not included in the original Council Resolution so any extension will now need to be presented to Council for consideration as the General Manager was not given delegated authority to process.

Optional Extension of Contract Period (clause extracted from Contract)

The initial Contract Period will be for 2 years with performance reviews held at six monthly periods to assess compliance with the key performance indicators for the contract.

The Contract may be extended for one year and then a second year with the agreement of both parties. If both parties agree to an extension of the Contract period, the rates and prices for the extended period will be determined as follows:

$$R2 = \frac{(R1 \times C2)}{C1}$$

Where:

- R1 = Rate/Price as submitted with Tender
- R2 = Rate/Price as adjusted for extended period
- C1 = Consumer Price Index (Quarter ending immediately prior to Contract Date)
- C2 = Consumer Price Index (Quarter ending immediately prior to Date of Extended Period)

Evaluation of Performance

Arkwood have provided a reliable and quality service and meet all the requirements of the contract. It is recommended that the contract be extended and rates adjusted in accordance with CPI adjustments.

CPI Calculations for initial 1 year extension

C1 = Consumer Price Index (Quarter ending immediately prior to Contract Date 17/04/2015)
= 106.6 (Dec 2014 Index Number)

C2 = Consumer Price Index (Quarter ending immediately prior to Date of Extended Period)
= 110.0 (Dec 2016 Index Number)

Full CPI adjustment calculations are tabled below:

ITEM	DESCRIPTION	UNIT	ORIGINAL CONTRACT RATE ONLY (Excl GST) R1	CPI ADJUSTED RATE ONLY (Excl GST) R2
1	Biosolids, loaded from Contractor's hopper, removed from Banora Point WWTP and used outside of Tweed Shire.	Wet tonne	\$69.00	$\frac{\$69.00 \times 110.0}{106.6}$ =\$71.20
2	Biosolids, loaded from Council hopper, removed from Kingscliff WWTP and used outside of Tweed Shire	Wet tonne	\$67.00	$\frac{\$67.00 \times 110.0}{106.6}$ =\$69.13
3	Biosolids, loaded at Murwillumbah WWTP and used outside of Tweed Shire	Wet tonne	\$83.05	$\frac{\$83.05 \times 110.0}{106.6}$ =\$85.69
4	Biosolids, loaded at Hasting Point WWTP and used outside of Tweed Shire	Wet tonne	\$83.05	$\frac{\$83.05 \times 110.0}{106.6}$ =\$85.69

OPTIONS:

That Council:

1. Grants a 1 year extension to contract EC2014184 awarded to Arkwood (Gloucester) Pty Ltd (T/A Arkwood Organic Recycling) ABN 70 055 370 486, ACN 055 370 486 with contract rates adjusted per CPI calculations as tabled above (Exclusive of GST).
2. Declines to accept any contract extension, including reasons for this course of action.

CONCLUSION:

It is recommended that in respect to Contract EC2014-184 Biosolid Removal from Wastewater Treatment Plants for use Outside TSC Boundary, Council grants a 1 year extension to contract EC2014184 awarded to Arkwood (Gloucester) Pty Ltd (T/A Arkwood Organic Recycling) ABN 70 055 370 486, ACN 055 370 486 with contract rates to be adjusted in line with CPI calculations as tabled above (Exclusive of GST).

COUNCIL IMPLICATIONS:

a. Policy:

The Offer invitation and evaluation were conducted in accordance with the provisions of:

- The Local Government Act 1993
- The NSW Local Government (General) Regulation 2005
- Council's Procurement Policy v1.6

b. Budget/Long Term Financial Plan:

Provision for the EC2014-184 Biosolid Removal from Wastewater Treatment Plants for use Outside TSC Boundary is included in the 2017/2018 Budget.

14 [E-CM] Northern Rivers Rail Trail

SUBMITTED BY: Director

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.3	Ensure local streets, footpaths and cycleways are provided, interconnected and maintained

SUMMARY OF REPORT:

Council has received a letter from Byron Shire Council advising of their decision to support dual use (multi-modal) of the rail corridor for public transport and walking and cycling and support for undertaking an extensive feasibility review of this proposal. Tweed Shire Council has previously endorsed the proposal for the corridor to be used as a walking and cycling Rail Trail and has recently submitted an application under the Federal Building Better Regions Fund for the remaining matching funding to complete the \$13 million project.

The proposal to include multi modal use of this corridor is problematic and has the potential to compromise the Tweed Valley Rail Trail proposal and ultimately the entire Trail from Murwillumbah to Casino.

RECOMMENDATION:

That Council writes to Byron Shire Council advising of Council's recent submission to the Building Better Regions Fund for a Rail Trail from Murwillumbah to Crabbes Creek and as such is not in a position to join with them.

REPORT:

Letter received from Byron Shire Council dated 15 March 2017:



#E2017/18490
Contact: Phillip Holloway

15 March 2017

General Manager and Councillors
Tweed Shire Council
PO Box 816
MURVILLIMBAH NSW 2484

Emailed only: tsc@tweed.nsw.gov.au

Dear Mr Green and Councillors

Multi Use of the Rail Corridor

At the Ordinary Meeting held 19 December 2016 Council resolved:

16-670 Resolved that Council with the intent to illustrate to the State Government a community wide support for multi use of the rail corridor within Byron Shire and to prepare for possible funding opportunities:

1. Supports a dual use within the rail corridor, comprising public transport provision in conjunction with a walking and cycling path where feasible.
2. Convenes a meeting with the community group, Friends of the Byron Line, MPs Tamara Smith and Ben Franklin and representatives of Regional Development Australia- Northern Rivers, to consider opportunities to develop a consultant's brief for completing a state and use of the rail corridor report and an economic and social feasibility report, in order to present a formal, costed and community supported project within the rail corridor to achieve local transport and tourism benefits within Byron Shire.
3. Notes the following that may need to be included in a brief:

State and Use of Corridor Report

1. Engineering study on re- instatement of railway:
 - i) bridge conditions and costs for repair
 - ii) track condition and cost for repair
 - iii) other infrastructure
2. Engineering study on construction of a walking and cycling path within the rail corridor but clear of the rail line itself and possibly diverting out of the corridor where there are significant obstructions like narrow rock cuttings or tunnels
3. Identification of pinch spots
 - i) consideration of facilitating signalled, shared uses or diverting trail
 - ii) land identification and costs for outside corridor land access



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THE BUNDJALUNG PEOPLE

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4. Accessibility Issues
5. Weights of transport options and implications
6. Speeds and required fencing
7. Residential impact-noise etc.

Economic and Social Feasibility

1. Park and Ride option including possible locations, estimate usage
 2. Events and Festivals- estimate usage, including utilising Yelgun and Tyagarah stations
 3. Markets- usage estimates
 4. Analysis of local and regional
 5. Estimate local and regional patronage catchment
 6. Estimate community benefits and savings of decreasing car use-environmental and road network
 7. New business opportunities arising within corridor
 8. Above and below rail costs.
 9. Funding models-including cost sharing options-public and private
 10. Options if transport activity is disrupted, out of service
 11. Health and social benefits
 12. Risk management
 13. Peripheral and adjacent land uses and value add opportunities
 14. Degree of community revitalisations
 15. Tourism usage
4. That a report be provided to Council prior to Easter 2017 with the outcomes of the meeting referred to in 2 above.
 5. Reports back to Council a draft brief, with recommendations as to:
 - a) A preferred structure of the consultants brief; ie, the possibilities of creating two or three separate briefs to report on varied aspects within the overall brief.
 - b) Ways forward to seek expressions of interest
 - c) The work that can be completed within Council, with community assistance and by consultants
 - d) the possibilities of complimenting information required within this brief with other council investigations, in particular its Transport Study for Byron Bay
 - e) a funding source
 6. Writes to the MPs Tamara Smith, Ben Franklin and Walt Secord; informing them of this resolution with requests for their assistance in supporting Council's endeavours.
 7. Writes to Regional Development Australia- Northern Rivers, informing them of this resolution with requests for their assistance in supporting Council's endeavours.
 8. Writes to neighbouring councils, informing them of this resolution with an invitation for them to participate in investigating the feasibility of a multi-modal use of the rail corridor.

In accordance with part 2 of this resolution, Cr Richardson, the General Manager, staff and stakeholders met on 10 March to hold a workshop about this issue.

Page 3 of 3

As per section 8 of resolution 16-670, I now extend to you an invitation to join with Byron Shire in investigating the feasibility of using the rail corridor in a variety of ways.

If you wish to discuss this matter, please do not hesitate to contact me by telephoning 6626 7101.

Yours sincerely



Phillip Holloway
Director
Infrastructure Services

OPTIONS:

1. That Council writes to Byron Shire Council advising of Council's recent submission to the Building Better Regions Fund for a Rail Trail from Murwillumbah to Crabbes Creek and as such is not in a position to join with them.
2. That Council joins with Byron Shire Council in their support of a comprehensive review of the rail corridor for multi-modal use.

CONCLUSION:

Building Better Regions funding application has been submitted by Council and is currently under review by the relevant government department. Any support of an alternative to the Rail Trail from Murwillumbah to Crabbes Creek using the existing formation and rail corridor has the potential to compromise Council's funding submission to the Federal Government.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Council has committed resources and funds for the implementation of a Rail Trail. Expenditure to date has been \$142,957 and a further \$189,610 remains in the budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

REPORTS FROM THE DIRECTOR CORPORATE SERVICES

15 [CS-CM] Integrated Planning and Reporting Framework - 2017/2021 Delivery Program, 2017/2018 Operational Plan and Resourcing Strategy

SUBMITTED BY: Financial Services

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
-

SUMMARY OF REPORT:

Following ordinary elections of Council, all documents within Council's Integrated Planning and Reporting Framework must be reviewed. The 2017/2027 Community Strategic Plan was exhibited from 2 January 2017 to 25 February 2017 and adopted by Council on 6 April 2017.

Council has prepared the 2017/2021 Delivery Program incorporating the 2017/2018 Operational Plan. Principal streams listed in the Delivery Program are linked to long-term goals/strategies and actions in the Community Strategic Plan.

The 2017/2027 Resourcing Strategy has been reviewed and updated to ensure all principal streams listed in the Delivery Program are fully resourced.

RECOMMENDATION:

That the Draft Delivery Program 2017/2021, Draft Operational Plan 2017/2018, associated Resourcing Strategy supporting the Community Strategic Plan 2017/2027 and Draft Revenue Policy and Statement 2017/2018 incorporating the Operational Plan Budget 2017/2018 and Fees and Charges 2017/2018, be placed on public exhibition inviting submissions, in accordance with Sections 404 and 405 of the Local Government Act 1993.

REPORT:

Following an ordinary election Council is required to review its community strategic plan under s 402(5) of the *Local Government Act NSW* (1993). The 2017/2027 Community Strategic Plan was exhibited from 2 January 2017 to 25 February 2017 and adopted by Council on 6 April 2017.

Council must review its Resourcing Strategy to ensure resources are available for the implementation of long-term goals identified in the Community Strategic Plan (s403 (1) of the *Local Government Act*). The Resourcing Strategy includes the 2017/2027 Long Term Financial Plan, the 2017/2027 Asset Management Planning and the 2017/2021 Workforce Management Plan.

In addition Council must establish a new Delivery Program after each ordinary election and identify the principal activities that Council will undertake over the next four years, commencing on 1 July 2017 (s404(3) of the *Local Government Act*). The principal streams in the Delivery Program are Council's response to long-term community goals, strategies and actions identified by the Community Strategic Plan.

The 2017/2021 Delivery Program incorporates the 2017/2018 Operational Plan. The Operational Plan details all activities to be engaged in by the council during the year (s405(1) of the *Local Government Act*) and must be adopted before 1 July 2017.

The 2017/2018 Operational Plan also includes a statement of the council's revenue policy for the year (s405 (2) of the *Local Government Act*) including the statements and particulars also required by the Regulations.

Following the adoption of the 2017/2027 Community Strategic Plan council must place the 2017/2027 Resourcing Strategy and 2017/2021 Delivery Program incorporating the 2017/2018 Operational Plan on public exhibition inviting submissions for at least 28 days.

In deciding on the final delivery program/operational plan to be adopted, a council must consider any submissions that have been made concerning the draft plan.

Delivery Program and Operational Plan

The 2017/2021 Delivery Program incorporating the 2017/2018 Operational Plan have clear linkages to long-term goals, strategies and actions in the 2017/2027 Community Strategic Plan and the Resourcing Strategy. The format of the 2017/2021 Delivery Program is based upon the four streams established in the Community Strategic Plan being "Leaving a legacy", "Making decisions with you", "People, places and moving around" and "Behind the scenes".

Consultation

The 2017/2018 Delivery Program and Draft Operational Plan 2017/2018 will be placed on public exhibition from 26 April to 26 May 2017 with access to all documents via printed copies various Council locations or from the Tweed Shire Council internet site.

Public consultation will also include several meetings with relevant peak community organisations. Council will convene these meetings towards the end of the public exhibition

period to allow for community groups time to review the Draft documentation prior to attending.

2017/2027 Resourcing Strategy

The Resourcing Strategy 2017/2027 is attached to this report and incorporates the Workforce Management Plan, an overview of Asset Management Planning and the outcomes of the Long Term Financial Plan.

While the Community Strategic Plan highlights all the objectives and aspirations of the community, the Resourcing Strategy focuses in detail on matters that are the direct responsibility of Council.

2017/2021 Workforce Management Plan

The 2017/2021 Workforce Management Plan supports the achievement of the goals detailed in the Delivery Program which is informed by the Community Strategic Plan. It ensures that Council has the right people, with the right skills, at the right time, undertaking the right jobs.

It identifies 5 key themes aimed at addressing the challenges that managing a large workforce which delivers a diverse range of services, in a competitive regional employment market brings. The themes are:

- Establish Council as an Employer of Choice
- Provide Professional Learning and Development Opportunities for all Staff
- Prioritise Staff Health and Wellbeing
- Strengthen Workplace Diversity
- Plan and Prepare for Council's Future Workforce Needs

2017/2027 Asset Management Planning

The 2017/2027 Asset Management Planning component of the Resourcing Strategy highlights by asset category:-

Asset quantity, value and condition as well as the asset management commitment included within the Long Term Financial Plan and the resultant impact that funding has on the long term asset condition.

2017/2027 Long Term Financial Plan

The 2017/2027 Long Term Financial Plan forecasts the financial capacity of Council to meet the objectives adopted in the Community Strategic Plan.

Estimates, projections and assumptions have been used to develop a picture of how Council's finances will progress over each of the next 10 years by quantifying revenue growth, expenditure commitments, and funding capacity.

It also serves to measure to what extent Council is able to finance its asset management commitments as determined in the various Asset Management Plans.

The Long Term Financial Plan has been amended to incorporate resolutions of Council that have a long term financial impact on the budget.

Draft Revenue Policy and Statement

The Draft Operational Plan 2017/2018 includes a statement of the council's revenue policy for the year.

The Draft Revenue Policy and Statement 2017/2018 including the proposed Draft Fees and Charges and are attached to this report and available for community submissions. A summarised version of the draft Budget is included within the body of the Delivery Program/Operational Plan, with the full version available on Council's internet site.

The Draft Revenue Policy and Statement 2017/2018 has been prepared to conform to the requirements as prescribed within the Local Government (General) Regulations and embodies all the rates, special rates, annual charges, interest on unpaid accounts and proposed fees and charges to be applied by council during 2017/2018. The General Fund Rate increase is based upon the IPART approved 1.5% increase for 2017/2018.

2017/2018 Proposed Rating Structure

The 2017/2018 rating structure is proposed as follows:

Item	2016/2017 \$	2017/2018 based on allowed Ordinary Rate increase 1.5%	\$ variation	% variation
Ordinary Rate				
Residential*	1,007.90	1,022.90	15.00	1.50%
Business*	1,107.90	1,124.50	16.60	1.50%
Farmland*	1,007.90	1,022.90	15.00	1.50%
Sewerage Charge	805.45	820.25	14.80	1.83%
Water Access Charge	166.45	169.50	3.05	1.80%
Domestic Waste Service Charge	190.60	176.00	-14.60	-8.30%
Domestic Waste Management Charge	64.30	69.80	5.50	7.88%
Waste Minimisation and Recycling Charge	69.80	53.00	-16.80	-31.70%
Landfill Management Charge	51.90	50.00	-1.90	3.80%
Total Residential (minimum rate)	2,356.40	2,361.45	5.05	0.21%

Special Rates

The 2017/2018 special rates are proposed as follows:

Description	No. of Properties	Rate	Revenue \$
Koala Beach	499	0.0663	81,558.03
Cobaki Lake	1	1.0230	562,650.00

Domestic Waste Management

The domestic waste management charge represents the reasonable cost of providing garbage and recycling services to residents and is in accordance with Sections 496 and 504 of the *Local Government Act*.

In 2009 the NSW State Government introduced a Waste and Environment Levy, aimed at increasing the price of disposing waste to landfill in an effort to promote recycling. The NSW Waste Avoidance and Resource Recovery (WARR) Act 2001 identifies a target of 66% diversion from landfill for domestic waste.

In 2017/18 Council will be providing a number of different services for waste collection involving different sizes of bins and service regularities. All domestic waste service collection charges include recovery of the cost for the dial up bulk waste collection service.

The following table outlines the total domestic waste management charges depending on whether the recipient has a 2 bin service made up of recycling and waste, or a three bin service made up of the new green organic service and recycling and waste.

Service	2016/17	2017/18
Domestic waste services charge (Admin charge)	\$64.30	\$69.80
Waste Collection service (weekly 2 bin service 140 litre bin)	\$190.60	\$184.30
Waste Collection service (fortnightly 3 bin service 140 litre bin)	NA	\$163.40
Recycling service (fortnightly 240 litre bin)	\$69.80	\$53.00
Organic bin collection service (Weekly)	NA	\$80.00
Organic bin collection service (Fortnightly)	\$62.50	\$80.00

Water Cost Requirements

As part of the NSW Department of Primary Industry Water's Best Practice Pricing Guidelines there is a requirement that the income received from volumetric charges be a minimum of 75% of the combined access and volumetric income, for residential assessments. This is intended to send a stronger water conservation signal through pricing to consumers.

The increase in access and volumetric charge rates have been calculated to maintain the minimum 75% requirement, as well as cater for increased regulatory compliance related to water quality and reporting; growth, ageing infrastructure and the associated increases in operational and treatment costs.

2017/2018 Water Charges

Water Access (S501) and Volumetric Charges (S502) proposed to apply from 1 July 2017 are:

- Residential assessments – an annual access charge of \$169.50
- Business assessments - an annual access charge based on residential assessment 20mm access charge, multiplied by the ratio of meter size cross sectional area.
- Volumetric charge of \$2.90/kL for non-residential assessments.
- Volumetric charge of \$2.90/kL for residential assessments for each kL up to and including 300kL per annum.
- Excess volumetric charge of \$4.35/kL for residential assessments for each kL in excess of 300kL per annum consumption.
- The above volumetric charges relate to the reading period from 1 July 2017 to 30 June 2018.
- Bulk water sales from standpipes for use within the shire will be charged at \$4.35/kL in 2017/2018. Use outside the shire will be charged at \$8.70/kL in 2017/2018, being twice the Residential Properties High Consumption Charge.
- Vacant properties rated for water are subject to an access charge of \$169.50.
- Unpaid accounts are subject to interest charges applicable calculated from the due date.

It is estimated that the notional yield from access charges will be \$6,589,713 and \$22,970,000 from the volumetric charge.

Sewer Cost Requirements

Due to increased regulatory compliance related to recycled water quality and reporting; growth, ageing infrastructure and the associated increases in operational and treatment costs, the sewerage access charge will continue to increase on an annual basis.

The sewerage usage charge was implemented to manage and control sewerage trade waste discharges to the public sewer system and to recover council's additional costs in the transportation, treatment and disposal of trade waste discharges.

2017/2018 Sewerage Charges

Sewerage charges (S501) proposed to apply from 1 July 2017 are:

Residential Assessments

- Residential assessments – an annual access charge of \$820.25.
- Vacant properties rated for sewer are subject to an annual access charge of \$820.25.
- Unpaid accounts are subject to interest charges applicable calculated from the due date.

It is estimated that the notional yield from access charges will be \$30,338,488.

Draft Budget 2017/2018

The 2017/2018 draft budget has been formulated using the following assumptions:-

Item	Indexation
Employee costs	2.75%
Materials and Contracts	2.75%
Other expenses	2.00%
Rates	1.5% for Minimum rate

Capital works expenditure includes:

Category	Amount \$'000
Roads	12,127
Drainage	1,386
Water infrastructure	5,470
Sewer infrastructure	7,278

OPTIONS:

Council is required to place the Draft Delivery Program and associated documentation on public exhibition, inviting submissions prior to the formal adoption of these documents.

CONCLUSION:

That the Draft Delivery Program 2017/2021, Draft Operational Plan 2017/2018, associated Resourcing Strategy supporting the Community Strategic Plan 2017/2027 and Draft Revenue Policy and Statement 2017/2018 incorporating the Operational Plan Budget 2017/2018 and Fees and Charges 2017/2018, be placed on public exhibition inviting submissions, in accordance with Sections 404 and 405 of the Local Government Act 1993.

The full impacts of the catastrophic flood events that descended upon the Tweed Shire in late March early April 2017, will not be known for some time. Once the full assessment of damage to Council infrastructure and assets is completed, Council will then be working with the State and Federal Government regarding the level of financial support and assistance Council will be receiving.

As a result changes may need to be made to Council's capital works program/significant projects and service levels that have been listed in the Draft Delivery Program.

It is anticipated that the information on levels of support to be provided by governments to Council will be known in time for the 1st quarter review (September 2017) enabling any adjustments that may need to be considered to the Delivery Program to be presented to Council at this time.

COUNCIL IMPLICATIONS:

a. Policy:

Public exhibition inviting submissions is required in accordance with Sections 404 and 405 of the Local Government Act.

b. Budget/Long Term Financial Plan:

All operations, services and infrastructure projects have been identified and costed within the Draft Budget 2017/2018.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed. All plans will be placed on public exhibition from 26 April to 26 May 2017 with submissions welcome. Meetings with relevant peak community organisations will be conducted towards mid-May.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- | | |
|---------------|--|
| Attachment 1. | Draft Delivery Program 2017/2021 and Draft Operational Plan 2017/2018 (ECM4485389). |
| Attachment 2. | Draft Revenue Policy and Statement 2017/2018 (ECM4485251). |
| Attachment 3. | Draft Fees and Charges 2017/2018 (ECM4485390). |
| Attachment 4. | Draft Resourcing Strategy, Supporting the 2017/2027 Community Strategic Plan (ECM (ECM4488425)). |
-

16 [CS-CM] Community Engagement Strategy

SUBMITTED BY: Director Corporate Services

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1. Civic Leadership
 - 1.2. Improve decision making by engaging stakeholders and taking community input into account
-

SUMMARY OF REPORT:

Council considered the Community Engagement Strategy at its meeting held 16 March 2017 where it was resolved:

Cr K Milne
Cr R Cooper

RESOLVED:

1. *that the report be deferred to the 20 April 2017 meeting.*

The report is reproduced as follows for the information of Council. The original Confidential attachment is also attached to the Business Paper of 20 April 2017.

A workshop was held on the review of Council's existing community engagement was held on Saturday 4 February 2017 at the Sustainable Living Centre. This full day workshop was attended by the majority of Councillors, senior staff and members of Council's Communication and Customer Services Unit. Special guests included members of Council's Community Engagement Network and was facilitated by the Managing Director of Articulous Communications and IAP2 trainer, Amanda Newbery.

One of the aims of the workshop was to outline best practice methods in community engagement with a view to Councillors having input into the preparation of a revision of Council's Community Engagement Strategy.

Towards the end of the workshop, there was discussion among the few remaining Councillors, regarding the next step in developing the revised Community Engagement Strategy and the extent of community engagement needed before the draft document is placed on exhibition for community input.

Since the workshop, a number of Councillors have expressed differing viewpoints of how to proceed. Therefore the aim of this report is to determine the way forward to enable the review of the existing Community Engagement Strategy to progress.

RECOMMENDATION:

That:

- 1. Councillors determine their preferred option for the required level of community engagement for the development of the revised Community Engagement Strategy.**
- 2. 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:

A workshop was held on the review of Council's existing community engagement was held on Saturday 4 February 2017 at the Sustainable Living Centre. This full day workshop was attended by the majority of Councillors, senior staff and members of Council's Communication and Customer Services Unit. Special guests included members of Council's Community Engagement Network and was facilitated by the Managing Director of Articulous Communications and IAP2 trainer, Amanda Newbery.

One of the aims of the workshop was to outline best practice methods in community engagement with a view to Councillors having input into the preparation of a revision of Council's Community Engagement Strategy.

Towards the end of the workshop, there was discussion among the few remaining Councillors, regarding the next step in developing the revised Community Engagement Strategy and the extent of community engagement needed before the draft document is placed on exhibition for community input.

Since the workshop, a number of Councillors have expressed differing viewpoints of how to proceed. Therefore the aim of this report is to determine the way forward to enable the review of the existing Community Engagement Strategy to progress.

Following the workshop and agreed outcomes, Articulous Communications has prepared an options report for Council's consideration. It takes into account possible methods, level of engagement required, time, costs, risks and Councillor involvement. Taking into consideration the feedback and desires expressed at the workshop, Articulous Communications believe that Option 3 in the attachment would best meet the views expressed by Councillors at the completion of the workshops. This option though, carries with it significant costs and the requirement of additional resources.

Given Council's requirements to work within a financial sustainability framework, an alternative for Council consideration is Option 2 as a more affordable option which would still provide comprehensive engagement and allow for the public to have their say on how to have their say.

Option 2 would see Council preparing a DRAFT Community Engagement Strategy Version 2 and placement on exhibition accompanied with a comprehensive and robust engagement strategy in line with Council's existing Community Engagement Strategy. The reasons this is recommended are:

- The Community Engagement Strategy is a guiding document for our commitment to our Tweed Community – it is not intended to provide specifics on which engagement method or technique or project specific which differs for every single project.
- We collect engagement feedback on an ongoing basis through all of our engagement and know where we have gaps and need to improve on our existing Policy and believe a draft version is better to engage on so we can demonstrate that we may already be aware of the areas we need to improve on. One example of this gap identification is the low response rate by those community members under 30 years to the recent Service Planning Survey. The next few months will

see Council introduce a suite of social media channels as a part of its engagement toolkit, which will work towards addressing this gap.

- We have been engaging with our community on the Community Strategic Plan for many months now, and feedback to the CEN members is also that there is a point where we can over engage.

The Draft of the revised Community Engagement Strategy consultation would comprise of a dedicated project page on Your Say Tweed featuring the brainstorming tools and comments from the community, a quick poll on Your Say Tweed, stakeholder and face to face meetings and much more.

OPTIONS:

The Options presented in the proposal include:

Option 1: Draft provided to the community for feedback.

Option 2: Seek input to create a draft strategy which is then sent back to the community for further feedback and refinement.

Option 3: Deliberative forum of a mix of community members (representative sample, plus stakeholder representatives) to provide input into developing the engagement strategy.

Option 4: Citizen's panel of randomly selected residents.

CONCLUSION:

Councillors are requested to consider their preferred option for the engagement required for the development of a revised Community Engagement Strategy.

COUNCIL IMPLICATIONS:

a. Policy:

Community Engagement Strategy v1.1

b. Budget/Long Term Financial Plan:

There are currently no funds allocated in the existing 16/17 Financial Year budget to cover the costs involved to implement Option 3 and 4.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. Tweed Shire Council Community Engagement Options-
Amanda Newberry (ECM 4439529).

17 [CS-CM] Monthly Investment and Section 94 Development Contribution Report for Period ending 31 March 2017

SUBMITTED BY: Financial Services

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
-

SUMMARY OF REPORT:

The "Responsible Accounting Officer" must report monthly to Council, setting out details of all the funds Council has invested. The Manager Financial Services, being the Responsible Accounting Officer, certifies that investments have been made in accordance with Section 625 of the Local Government Act (1993), Clause 212 of the Local Government (General) Regulations and Council policies. Council had **\$282,124,175** invested as at **31 March 2017** and the accrued net return on these funds was **\$686,327** or **2.92%** annualised for the month.

RECOMMENDATION:

That in accordance with Section 625 of the Local Government Act 1993 the monthly investment report as at period ending 31 March 2017 totalling \$282,124,175 be received and noted.

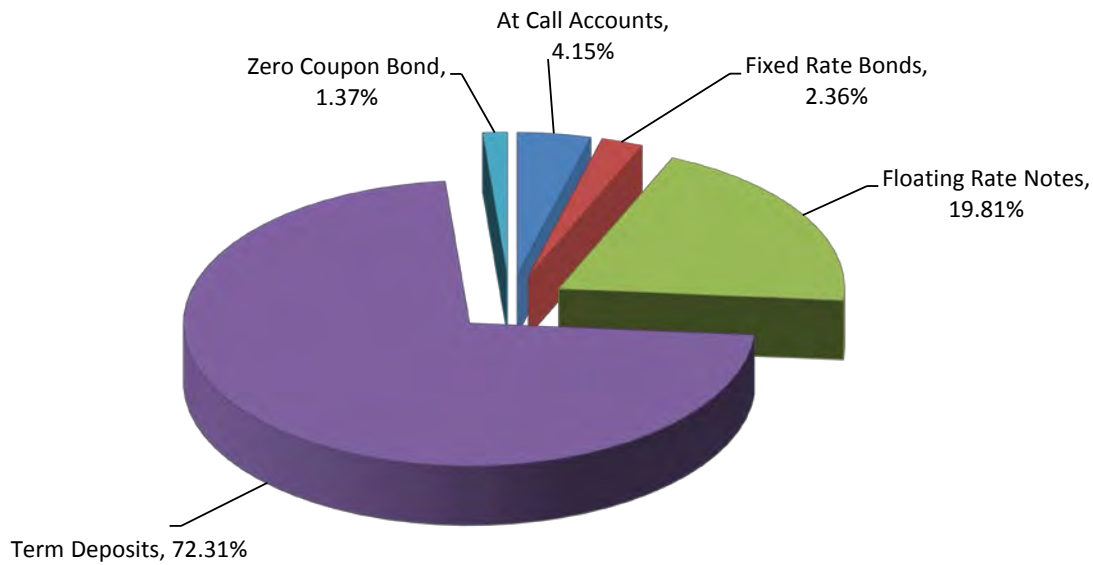
REPORT:

1. Restricted Funds as at 1 September 2016

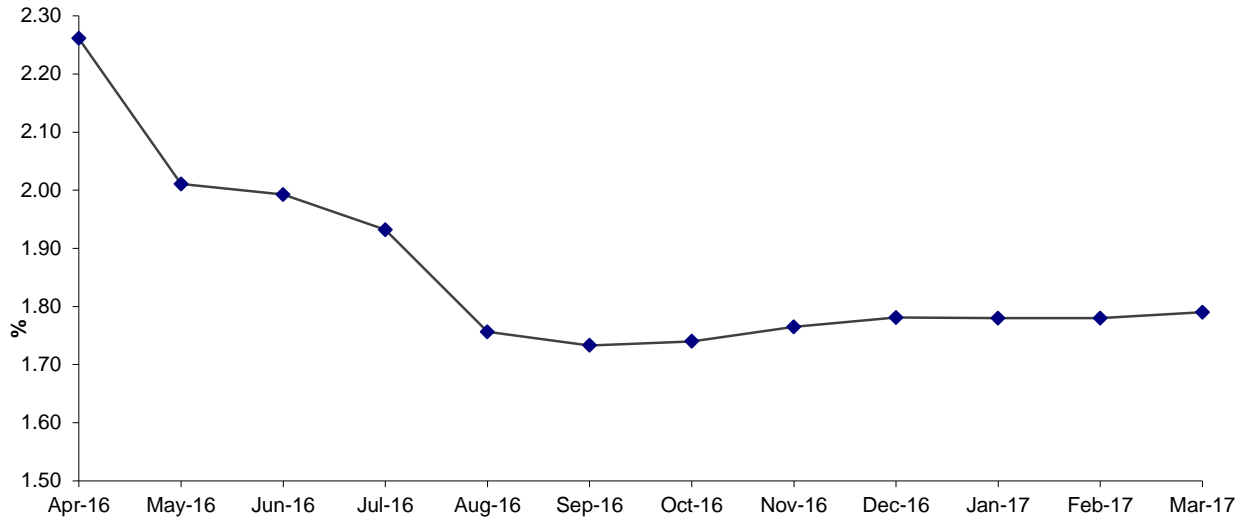
Description	(\$'000)			
	General Fund	Water Fund	Sewer Fund	Total
Externally Restricted (Other)	4,620	41,915	69,816	116,351
Crown Caravan Parks	19,035			19,035
Developer Contributions	31,046	1,701		32,747
Domestic Waste Management	14,912			14,912
Grants	4,846			4,846
Internally Restricted (Other)	48,756			48,756
Employee Leave Entitlements	12,703			12,703
Grants	3,344			3,344
Unexpended Loans	7,445			7,445
Total	146,707	43,616	69,816	260,139

Note: Restricted Funds Summary updated September 2016, corresponding with the Annual Financial Statements as at 30 June 2016

2. Investment Portfolio by Category



3. Investment Rates - 90 Day Bank Bill Rate



4. Bond and Floating Rate Note Securities

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
*	Heritage (RBS/RIMSEC) (06/17)	2,500,000.00	2,523,750.00	7.25	Fixed Rate Bond	20-Jun-17
*	ME Bank (ANZ) (11/17)	2,000,000.00	2,008,240.00	2.78	FRN	17-Nov-17
*	CUA (12/17) ANZ	1,000,000.00	1,002,780.00	3.00	FRN	22-Dec-17
	CBA/Merrill Lynch Zero Coupon Bond (01/18)	4,000,000.00	3,879,200.00	7.17	Fixed Rate Bond	22-Jan-18
*	NPBS (Morgans) (02/18)	1,000,000.00	1,004,760.00	2.88	FRN	27-Feb-18
*	ME Bank (04/18)	1,000,000.00	1,010,170.00	3.08	FRN	17-Apr-18
*	Heritage (Morgans) (05/18)	3,000,000.00	3,014,430.00	2.92	FRN	07-May-18
	AMP (Morgans) (6/18)	1,000,000.00	1,004,680.00	2.66	FRN	06-Jun-18
*	BOQ (06/18)	1,000,000.00	1,028,520.00	4.00	Fixed Rate Bond	12-Jun-18
*	BOQ (06/18)	1,000,000.00	1,005,230.00	2.78	FRN	12-Jun-18
	Macquarie (ANZ) (10/18)	1,000,000.00	1,009,730.00	2.82	FRN	26-Oct-18
*	Bendigo (RBS) (11/18)	1,000,000.00	1,012,420.00	3.05	FRN	14-Nov-18

	Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
*	CUA (04/19)	1,900,000.00	1,982,116.50	3.40	FRN	01-Apr-19
*	CUA (04/19)	2,000,000.00	1,982,116.50	3.40	FRN	01-Apr-19
	CBA (04/19)	1,000,000.00	1,011,550.00	2.66	FRN	24-Apr-19
	CBA Bond (04/19)	1,000,000.00	1,053,440.00	4.25	Fixed Rate Bond	24-Apr-19
*	ME Bank (ANZ) (07/19)	1,000,000.00	1,013,320.00	3.23	FRN	18-Jul-19
*	Suncorp (CBA) (08/19)	1,000,000.00	1,004,860.00	2.72	FRN	20-Aug-19
	CBA (10/19)	2,000,000.00	2,021,380.00	2.63	FRN	18-Oct-19
*	TMB (NAB) (10/19)	1,250,000.00	1,258,187.50	3.17	FRN	28-Oct-19
*	Suncorp (11/19)	1,000,000.00	999,710.00	2.47	FRN	05-Nov-19
	Rabo (Morgans) (02/20)	2,000,000.00	2,019,960.00	2.83	FRN	11-Feb-20
*	Bendigo Bank FRN (CBA) (02/20)	1,000,000.00	1,008,080.00	2.88	FRN	21-Feb-20
	Macquarie (RIMSEC) (03/20)	2,000,000.00	2,017,460.00	2.89	FRN	03-Mar-20
*	NPBS (Westpac) (04/20)	2,000,000.00	2,013,400.00	3.13	FRN	07-Apr-20
	ANZ (04/20)	1,600,000.00	1,615,936.00	2.60	FRN	17-Apr-20
*	ANZ Green Bond (06/20)	2,000,000.00	2,049,380.00	3.25	Fixed Rate Bond	03-Jun-20
	CBA (07/20)	2,000,000.00	2,023,460.00	2.68	FRN	17-Jul-20
*	Westpac (07/20)	2,000,000.00	2,022,280.00	2.67	FRN	28-Jul-20
	Bendigo (Westpac) (08/20)	1,000,000.00	1,007,350.00	2.88	FRN	18-Aug-20
*	BOQ (10/20)	2,500,000.00	2,530,600.00	2.94	FRN	20-Oct-20
*	Suncorp (NAB) (10/20)	3,000,000.00	3,050,910.00	3.03	FRN	20-Oct-20
*	Westpac (WBC) (10/20)	1,000,000.00	1,016,630.00	2.85	FRN	28-Oct-20
	CBA (01/21)	1,000,000.00	1,019,450.00	2.93	FRN	18-Jan-21
	Rabo (ANZ) (03/21)	2,000,000.00	2,046,560.00	3.29	FRN	04-Mar-21
*	Suncorp (04/21)	2,000,000.00	2,043,700.00	3.16	FRN	12-Apr-21
*	Bendigo Bank (04/21)	3,000,000.00	3,065,310.00	3.24	FRN	20-Apr-21

Counterparty	Face Value	Market Value	% Return on Face Value	Investment Type	Maturity Date
* Suncorp Metway (Covered Bond) (06/21)	2,000,000.00	2,015,660.00	2.90	FRN	22-Jun-21
* NPBS (WBC) (01/22)	2,000,000.00	2,027,460.00	3.43	FRN	24-Jan-22
	65,750,000.00	66,424,176.50	3.23		
LEGEND					
Investment Type	ABS = Asset Backed Security Bond = Fixed Rate Bond FRN = Floating Rate Note				
Counterparty	Bendigo = Bendigo & Adelaide Bank NPBS - Newcastle Permanent Building Society AMP = AMP Bank Heritage = Heritage Bank ME = Members Equity Bank ANZ = ANZ Bank ING = ING Bank RaboDirect = Rabo Bank BOQ = Bank of Queensland Investec = Investec Bank Rural = Rural Bank (previously Elders Bank) CBA = Commonwealth Bank Macquarie = Macquarie Bank Suncorp = Suncorp Metway Bank CUA = Credit Union Australia NAB = National Australia Bank WBC = WBC Banking Corporation				

5. Term Deposits

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
RaboDirect (Curve) (Jan 2019)	13-Jan-15	15-Jan-19	15-Jan-19	1,000,000.00	4.00
* Bendigo Bank (Dec 2017)	15-Dec-15	18-Dec-17	18-Dec-17	2,000,000.00	3.15
* MEB (Curve) (Mar 2018)	01-Mar-16	06-Mar-18	06-Mar-18	2,000,000.00	3.13
AMP (RIMSEC) (May 2017)	10-May-16	09-May-17	09-May-17	3,000,000.00	3.00
* Bendigo Bank (Curve) (May 2018)	17-May-16	22-May-18	22-May-18	2,000,000.00	3.05
* QLD PCU (Curve) May 2018)	17-May-16	22-May-18	22-May-18	2,000,000.00	3.15
Rabo Bank (Curve) (May 2020)	20-May-16	19-May-20	19-May-20	2,000,000.00	3.20
Defence Bank (Curve) (May 2018)	25-May-16	28-May-18	28-May-18	1,000,000.00	3.05
Defence Bank (Curve) (June 2018)	31-May-16	05-Jun-18	05-Jun-18	1,000,000.00	3.05
* Bendigo Bank (Curve) (June 2019)	01-Jun-16	01-Jun-17	04-Jun-19	2,000,000.00	3.15
Australian Military Bank (Curve) (July 2017)	05-Jul-16	11-Jul-17	11-Jul-17	1,000,000.00	3.15

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
RaboDirect (Curve) (Jul 2021)	27-Jul-16	27-Jul-17	27-Jul-21	1,000,000.00	3.30
AMP (Curve) (Aug 2017)	03-Aug-16	08-Aug-17	08-Aug-17	2,000,000.00	2.80
* BOQ (Aug 2017)	06-Aug-16	08-Aug-17	08-Aug-17	3,000,000.00	3.00
RaboDirect (Curve) (Aug 2019)	07-Aug-16	07-Aug-17	13-Aug-19	2,000,000.00	4.30
* BOQ (Aug 2020)	09-Aug-16	09-Aug-17	11-Aug-20	5,000,000.00	3.20
* CUA (Aug 2017)	09-Aug-16	08-Aug-17	08-Aug-17	2,000,000.00	2.70
MMBS (Curve) (Aug 2018)	15-Aug-16	16-Aug-17	21-Aug-18	2,000,000.00	3.00
Rabo (RIMSEC) (Feb 2018)	19-Aug-16	21-Aug-17	20-Feb-18	3,000,000.00	3.00
Rabo Bank (Curve) (Aug 2018)	21-Aug-16	21-Aug-17	21-Aug-18	2,000,000.00	4.10
* Bendigo Bank (Aug 2019)	23-Aug-16	23-Aug-17	27-Aug-19	5,000,000.00	2.90
CBA (Oct 2019)	23-Aug-16	23-Aug-17	23-Oct-19	1,999,999.00	3.20
Rabo (Curve) (Aug 2018)	26-Aug-16	26-Aug-17	28-Aug-18	3,000,000.00	3.00
* Bendigo Bank (Curve) (Mar 2018)	31-Aug-16	31-Aug-17	06-Mar-18	2,000,000.00	2.70
* MyState (July 2017)	01-Sep-16	04-Jul-17	04-Jul-17	2,000,000.00	2.70
Rabo Bank (Curve) (Sept 2019)	01-Sep-16	01-Sep-17	03-Sep-19	1,000,000.00	4.05
* Bendigo Bank (Sept 2019)	03-Sep-16	03-Sep-17	03-Sep-19	1,000,000.00	4.15
* QLD PCU (RIMSEC) (Sept 2018)	05-Sep-16	04-Sep-17	04-Sep-18	1,000,000.00	3.05
NAB (Sept 2017)	13-Sep-16	12-Sep-17	12-Sep-17	3,000,000.00	2.69
P&N Bank (RIMSEC) (Sept 2017)	21-Sep-16	21-Sep-17	21-Sep-17	1,000,000.00	4.00
NAB (Oct 2017)	04-Oct-16	03-Oct-17	03-Oct-17	2,000,000.00	2.77
* Bendigo Bank (Curve) (April 2017)	13-Oct-16	18-Apr-17	18-Apr-17	2,000,000.00	3.00
NAB (Oct 2017)	18-Oct-16	17-Oct-17	17-Oct-17	4,000,000.00	2.80
NAB (Oct 2017)	18-Oct-16	17-Oct-17	17-Oct-17	2,000,000.00	2.80
* Bendigo (Oct 2017)	19-Oct-16	17-Oct-17	17-Oct-17	4,000,000.00	2.85

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
*	Suncorp (May 2017)	25-Oct-16	02-May-17	02-May-17	2,000,000.00	2.70
*	Suncorp (May 2017)	25-Oct-16	02-May-17	02-May-17	2,000,000.00	2.70
	Defence Bank (Curve) (Oct 2017)	26-Oct-16	24-Oct-17	24-Oct-17	1,000,000.00	3.00
	Defence Bank (Curve) (Nov 2018)	23-Nov-16	23-Nov-17	27-Nov-18	2,000,000.00	3.00
	Rabo (Curve) (Jul 2018)	26-Nov-16	26-Nov-17	03-Jul-18	3,000,000.00	3.10
	NAB (May 2017)	29-Nov-16	30-May-17	30-May-17	3,000,000.00	2.75
*	Bendigo Bank (Curve) (Dec 2017)	07-Dec-16	12-Dec-17	12-Dec-17	2,000,000.00	2.85
	NAB (Dec 2019)	19-Dec-16	20-Mar-17	17-Dec-19	2,000,000.00	2.84
*	St George (Dec 2016)	19-Dec-16	18-Apr-17	18-Apr-17	1,000,000.00	2.55
*	IMB (Jan 2020)	06-Jan-17	06-Apr-17	06-Jan-20	1,000,000.00	2.74
	Westpac (Apr 2021) quarterly interest	09-Jan-17	07-Apr-17	07-Apr-21	1,000,000.00	3.08
*	Westpac (Jan 2021)	11-Jan-17	11-Apr-17	12-Jan-21	6,000,000.00	2.88
*	BOQ (Jan 2017)	17-Jan-17	15-Jan-18	15-Jan-19	2,000,000.00	3.05
*	ME Bank (Curve) (Jan 2020)	24-Jan-17	24-Jan-18	28-Jan-20	2,000,000.00	3.26
	ING (RIMSEC) (Jan 2019)	29-Jan-17	01-May-17	29-Jan-19	2,000,000.00	2.62
*	Suncorp (May 2015)	31-Jan-17	01-Aug-17	01-Aug-17	2,000,000.00	2.65
	NAB (Feb 2020)	03-Feb-17	03-May-17	03-Feb-20	1,000,000.00	2.79
*	IMB (Nov 2017)	06-Feb-17	05-May-17	06-Nov-17	1,000,000.00	2.62
*	Auswide Bank (Curve) (Feb 2017)	07-Feb-17	13-Feb-18	13-Feb-18	1,000,000.00	2.80
*	Bankwest (Feb 2017)	07-Feb-17	11-Jul-17	11-Jul-17	3,000,000.00	2.60
	CBA (Feb 2020)	13-Feb-17	15-May-17	13-Feb-20	1,000,000.00	2.68
	ING (RIMSEC) (Feb 2020)	13-Feb-17	11-May-17	11-Feb-20	1,000,000.00	2.73
	NAB (Feb 2020) annual interest	13-Feb-17	12-May-17	12-Feb-20	2,000,000.00	2.93

	Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
	Bendigo (Curve) (Feb 2017)	14-Feb-17	13-Feb-18	13-Feb-18	2,000,000.00	2.70
*	CUA (Curve) (Feb 2017)	14-Feb-17	16-Jan-18	16-Jan-18	2,000,000.00	2.80
	Rural (Curve) (Feb 2017)	14-Feb-17	19-Sep-17	19-Sep-17	2,000,000.00	2.65
*	Westpac (Feb 2022)	15-Feb-17	15-Feb-19	15-Feb-22	3,000,000.00	3.00
*	Bendigo Bank (Feb 2018)	16-Feb-17	13-Feb-18	13-Feb-18	3,000,000.00	3.10
*	Westpac (Curve) (Feb 2021)	17-Feb-17	17-May-17	17-Nov-21	1,000,000.00	2.98
*	Westpac (Feb 2021)	17-Feb-17	17-May-17	17-Nov-21	1,000,000.00	3.00
	CBA (May 2020)	20-Feb-17	19-May-17	19-May-20	1,000,000.00	2.65
	CBA (May 2020)	20-Feb-17	19-May-17	19-May-20	2,000,000.00	2.50
*	Westpac (Feb 2021)	20-Feb-17	18-May-17	18-Feb-21	2,000,000.00	3.01
*	BOQ (Aug 2017)	21-Feb-17	22-Aug-17	22-Aug-17	4,000,000.00	2.70
	ING (Curve) (Aug 2017)	21-Feb-17	29-Aug-17	29-Aug-17	1,000,000.00	2.60
	NAB (May 2018)	22-Feb-17	22-May-17	22-May-18	2,000,000.00	2.74
*	BOQ (Feb 2017)	28-Feb-17	27-Feb-18	27-Feb-18	2,000,000.00	2.70
	CBA (Aug 2021)	28-Feb-17	31-May-17	31-Aug-21	6,000,000.00	3.40
	Defence Bank (Curve) (Mar 2019)	28-Feb-17	28-Feb-18	05-Mar-19	1,000,000.00	3.00
	Rural Bank (Curve) (Mar 2018)	28-Feb-17	06-Mar-18	06-Mar-18	4,000,000.00	2.70
	CBA (Aug 2017)	01-Mar-17	01-Aug-17	01-Aug-17	4,000,000.00	2.60
	ING Bank (Aug 2017)	01-Mar-17	29-Aug-17	29-Aug-17	3,000,000.00	2.70
	BCU (Curve) (Mar 2018)	07-Mar-17	07-Mar-18	13-Mar-18	1,000,000.00	2.85
	CBA (Mar 2018)	07-Mar-17	06-Mar-18	06-Mar-18	4,000,000.00	2.71
	RaboBank (RIMSEC)	07-Mar-17	07-Mar-18	10-Mar-20	2,000,000.00	3.00
	Rural Bank (Curve) (Mar 2017)	07-Mar-17	07-Mar-18	13-Mar-18	1,000,000.00	2.70
*	Westpac (Curve) (Mar 2018)	14-Mar-17	20-Mar-18	20-Mar-18	4,000,000.00	2.65
*	IMB (Mar 2020)	20-Mar-17	19-Jun-17	17-Mar-20	2,000,000.00	2.85

Counterparty	Lodged or Rolled	Interest Due	Maturity Date	Principal	% Yield
ING (Curve) (Sept 2017) ING Bank (Curve) (Sept 2017)	21-Mar-17	12-Sep-17	12-Sep-17	3,000,000.00	2.66
Police SA (Curve)	21-Mar-17	26-Sep-17	26-Sep-17	1,000,000.00	2.70
* Suncorp (Mar 2017)	21-Mar-17	19-Dec-17	19-Dec-17	2,000,000.00	2.85
* Bankwest (Jan 2017)	21-Mar-17	19-Sep-17	19-Sep-17	4,000,000.00	2.62
* BOQ (Mar 2017) quarterly interest	28-Mar-17	29-Aug-17	29-Aug-17	2,000,000.00	2.60
Rural (Curve)	28-Mar-17	20-Mar-18	20-Mar-18	2,000,000.00	2.65
* Suncorp (March 2017)	28-Mar-17	23-Jan-18	23-Jan-18	1,000,000.00	2.70
NAB (Jan 2020)	28-Mar-17	19-Dec-17	19-Dec-17	2,000,000.00	2.60
* BOQ (Aug 2017)	16-Jul-17	17-Apr-18	21-Jan-20	2,000,000.00	2.91
* BOQ (Aug 2017)	06-Aug-17	08-Aug-17	08-Aug-17	2,000,000.00	3.00
* Westpac (Aug 2020)	06-Aug-17	08-Aug-17	08-Aug-17	1,000,000.00	3.00
	27-Feb-17	25-May-17	25-Aug-20	2,000,000.00	2.51
Total				203,999,999.00	2.94
LEGEND					
Counterparties					
AMP = AMP Bank		Macquarie = Macquarie Bank		WBC = Westpac Bank	
ANZ = ANZ Bank		NAB = National Australia Bank			
Auswide = Auswide Bank		ME = Members Equity Bank			
BOQ = Bank of Queensland		NPBS = Newcastle Permanent Building Society			
CBA = Commonwealth Bank		P&N = P&N Bank			
Heritage = Heritage Bank		RaboDirect = Rabo Bank			
ING = ING Bank		Rural = Rural Bank			
Investec = Investec Bank		Suncorp = Suncorp Metway Bank			

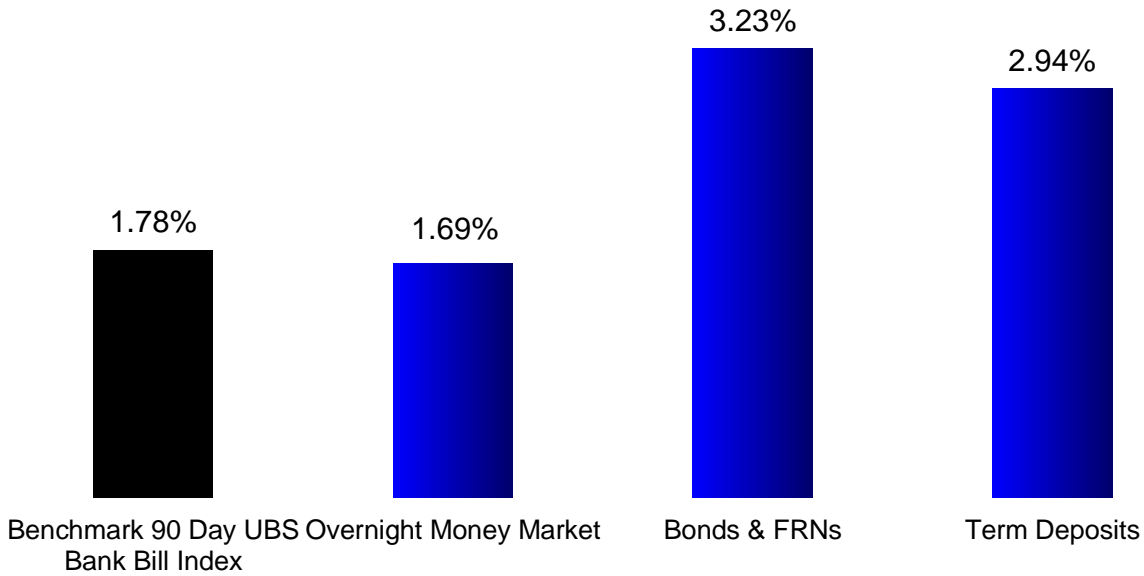
6. Ethical Investments

* Ethical Financial Institutions highlighted
\$153,722,675 which represents **54.49%** of the total portfolio
 Source: Australian Ethical - www.australianethical.com.au

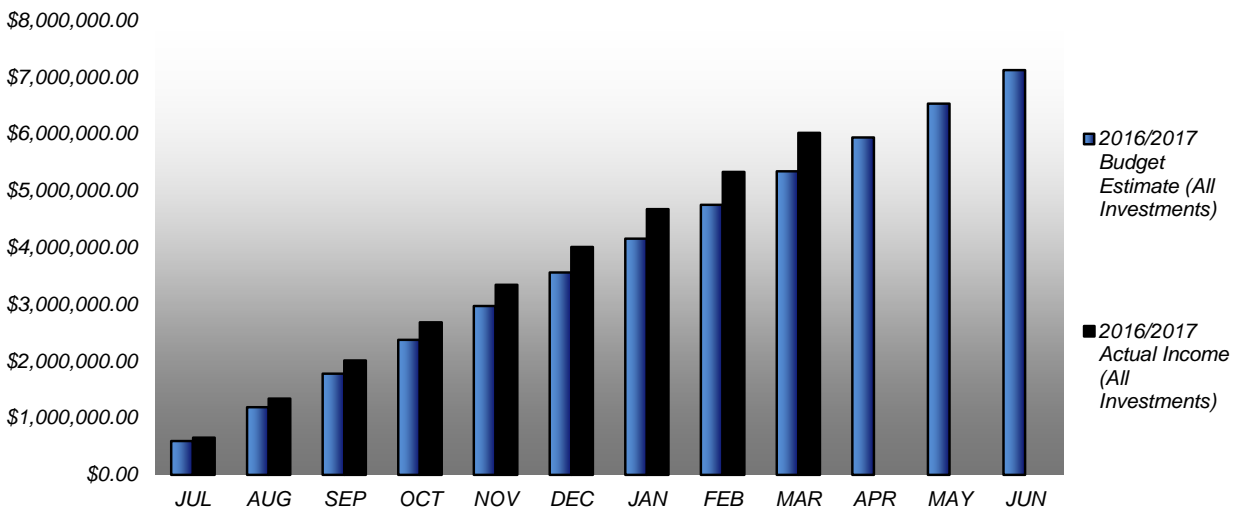
7. Performance by Category

Category	Face Value	Market Value	Weighted Average Return by Investment Category	Above or (Below) 90 day BBSW Benchmark	
Benchmark 90 Day UBS Bank Bill Index			1.78%		
Overnight Money Market	11,700,000.00	11,700,000.00	1.69%	-0.09%	
Bonds & FRNs	65,750,000.00	66,424,176.50	3.23%	1.45%	
Term Deposits	203,999,999.00	203,999,999.00	2.94%	1.16%	
			Weighted Average Total Portfolio		
		281,449,999.00	282,124,175.50	2.95%	1.17%

Performance by Category Compared with Benchmark



8. Total Portfolio Income v Budget



9. Investment Policy Diversification and Credit Risk

Total Portfolio Credit Limits Compared to Policy Limits					
Long-Term Credit Ratings	Investment Policy Limit	Actual Portfolio	Short-Term Credit Ratings	Investment Policy Limit	Actual Portfolio
AAA Category	100%	0.72%	A-1+	100%	23.62%
AA Category	100%	11.40%	A-1	100%	12.22%
A Category	60%	10.37%	A-2	60%	30.94%
BBB Category	20%	6.58%	A-3	0%	0.00%
Unrated	10%	1.99%	Unrated	10%	2.16%

Market Value by Security Rating Group (Long Term)



Market Value by Security Rating Group (Short Term)



10. Term to Maturity

Maturity Profile	Actual % Portfolio	Policy Limits
Less than 365 days	47.86%	Minimum 40%
More than 365 days and less than 3 years	29.65%	Maximum 60%
3 years and less than 5 years	22.49%	Maximum 35%
Total	100.00%	

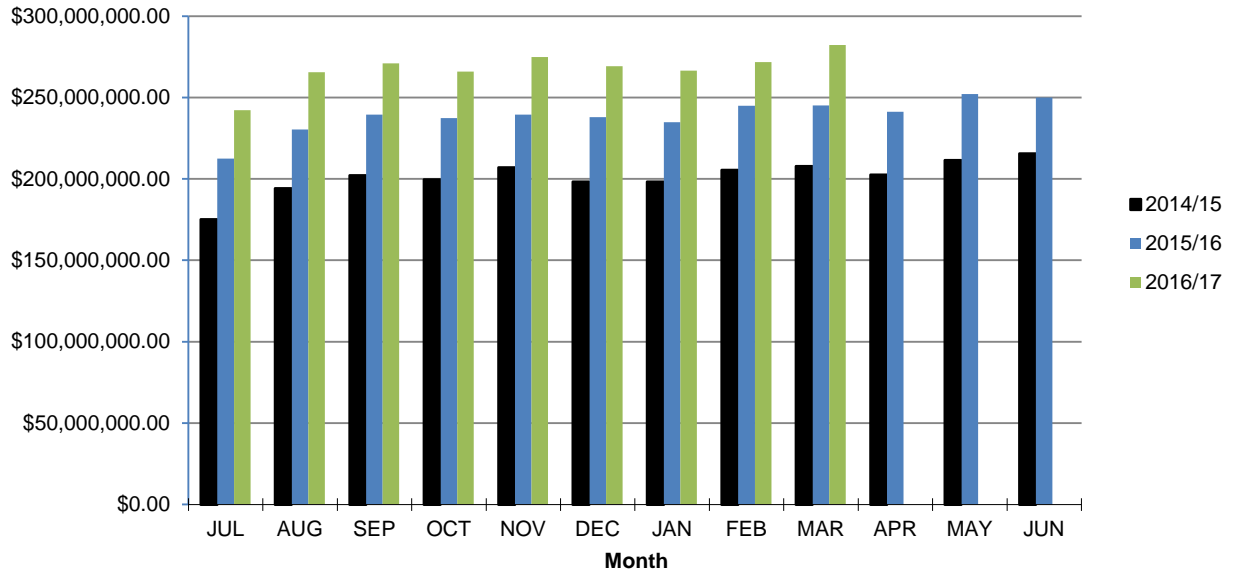
Market Value by Term Remaining



11. Investment Alternatives Explained

Investment Product	Maturity Range	Usual term to maturity	Major Benefits	Major risks
At Call Cash	At Call	Immediate to a few months	Highly liquid - same day access to funds with no impact on capital	Not a capital growth asset
			Highly secure as a bank deposit	Underperforms other asset classes in the long term
Bank Bill	1 - 180 days	Less than 1 year	Highly liquid - same day access to funds, usually with no or minimal impact on capital	Not a growth asset
			Highly secure (bank risk)	Underperforms other asset classes in the long term
				May incur a small loss for early redemption
Term Deposit	Up to 5 years	Less than 2 years	Liquid - same day access to funds	Will incur a small capital loss for early termination
			Highly secure as a bank deposit	Underperforms growth assets in the longer term
Floating Rate Note Bond	1 - 5 years	Greater than 2 years	Increased yield over bank bills	Not a growth asset
			Can accrue capital gain if sold ahead of maturity and market interest rates have fallen	Can incur capital losses if sold ahead of maturity and market interest rates have risen
			Coupon interest rate resets quarterly based on 90 day bank bill swap rate	Credit exposure to company issuing the paper
			Relatively liquid	May not be bank guaranteed
			Less administration than bank bills	Underperforms other asset classes in the long term
Fixed Rate/Bond	1 - 5 years	Greater than 3 years	Can accrue capital gain if sold before maturity and market interest rates have fallen	Can incur capital losses if sold before maturity and market interest rates have risen
			Fixed return - semi annual coupons	Credit exposure to company issuing paper
			Generally liquid	
			Can be government or corporate issuer	

12. Monthly Comparison of Total Funds Invested



13. Section 94 Developer Contributions - Monthly Balances & Receipts

Contribution Plan	Plan Description	End of Month Balance	Contributions Received for Month
1	DCP3 Open Space	4,541,876	
2	Western Drainage	642,495	
3	DCP3 Community Facilities	1,739	
4	TRCP Road Contributions	15,113,540	495,845
5	Open Space	524,995	7,060
6	Street Trees	205,807	
7	West Kingscliff	903,374	
10	Cobaki Lakes	-1,439	
11	Libraries	2,214,508	21,797
12	Bus Shelters	119,600	1,371
13	Cemeteries	119,884	3,063
14	Mebbin Springs	96,164	
15	Community Facilities	1,645,717	30,816
16	Surf Lifesaving	98,705	424
18	Council Administration/Technical Support	1,599,490	50,876
19	Kings Beach	927,328	68,951
20	Seabreeze Estate	802	
21	Terranora Village	34,606	
22	Cycleways Shirewide	150,482	11,822
23	Carparking Shirewide	1,516,766	33,579
25	SALT	1,134,564	
26	Open Space Shire wide	1,272,999	124,630

Contribution Plan	Plan Description	End of Month Balance	Contributions Received for Month
27	Tweed Heads Masterplan	315,637	5,235
28	Seaside City	518,924	
91	DCP14	115,083	
92	Public Reserve Contributions	137,399	
95	Bilambil Heights	562,762	
	Total	34,513,807	855,469

14. Economic Commentary

At its 4 April, 2017 meeting the Reserve Bank of Australia (RBA) decided to leave the cash rate unchanged at 1.50 per cent.

Conditions in the global economy have improved over recent months. Both global trade and industrial production have picked up. Labour markets have tightened in many countries. Above-trend growth is expected in a number of advanced economies, although uncertainties remain. In China, growth is being supported by higher spending on infrastructure and property construction. This composition of growth and the rapid increase in borrowing mean that the medium-term risks to Chinese growth remain. The improvement in the global economy has contributed to higher commodity prices, which are providing a significant boost to Australia's national income.

Headline inflation rates have moved higher in most countries, partly reflecting the higher commodity prices. Core inflation remains low. Long-term bond yields are higher than last year, although in a historical context they remain low. Interest rates have increased in the United States and there is no longer an expectation of additional monetary easing in other major economies. Financial markets have been functioning effectively.

The Australian economy is continuing its transition following the end of the mining investment boom. Recent data are consistent with ongoing moderate growth. Most measures of business confidence are at, or above, average and non-mining business investment has risen over the past year. At the same time, some indicators of conditions in the labour market have softened recently. In particular, the unemployment rate has moved a little higher and employment growth is modest. The various forward-looking indicators still point to continued growth in employment over the period ahead. Wage growth remains slow.

The outlook continues to be supported by the low level of interest rates. Lenders have recently announced increases in mortgage rates, particularly those paid by investors. Financial institutions remain in a good position to lend. The depreciation of the exchange rate since 2013 has also assisted the economy in its transition following the mining investment boom. An appreciating exchange rate would complicate this adjustment.

Inflation remains quite low. Headline inflation is expected to pick up over the course of 2017 to be above 2 per cent. The rise in underlying inflation is expected to be a bit more gradual with growth in labour costs remaining subdued.

Conditions in the housing market continue to vary considerably around the country. In some markets, conditions are strong and prices are rising briskly. In other markets, prices are declining. In the eastern capital cities, a considerable additional supply of apartments is scheduled to come on stream over the next couple of years. Growth in rents is the slowest for two decades.

Growth in household borrowing, largely to purchase housing, continues to outpace growth in household income. By reinforcing strong lending standards, the recently announced supervisory measures should help address the risks associated with high and rising levels of indebtedness. Lenders need to ensure that the serviceability metrics that they use are appropriate for current conditions. A reduced reliance on interest-only housing loans in the Australian market would also be a positive development.

Taking account of the available information, the Board judged that holding the stance of monetary policy unchanged at this meeting would be consistent with sustainable growth in the economy and achieving the inflation target over time.

Council's Investment Portfolio

Council's investment portfolio is conservatively structured in accordance with Office of Local Government guidelines with approximately 76.46% of the portfolio held in cash and term deposits. Term deposits and bonds are paying average margins over the 90 day bank bill rate.

Bank demand for longer dated term deposit funds has increased due to diminished availability of wholesale funding, increased cost of wholesale funding and new banking capital requirements. This demand for long term funds is highlighted by the lowering of many "at call" rates to less than the RBA cash rate and increased margins above the 90 day bank bill benchmark for term deposits.

The historic low cash rate is still translating to lower total investment yields. This continues to present difficulties obtaining reasonable investment income without risking capital.

All investment categories except cash at call out-performed the UBS 90 day bank bill benchmark this month. The investment portfolio again benefited this month from some longer-dated, higher yielding bonds and term deposits purchased before interest rate margins began contracting. Overall, the investment portfolio has returned a **weighted average 1.17% pa** above the 90 day UBS bank bill index for the last month.

Source: RBA Monetary Policy Decision

15. Investment Summary

GENERAL FUND

CORPORATE FIXED RATE BONDS	10,534,290.00	
FLOATING RATE NOTES	55,889,886.50	
ASSET BACKED SECURITIES	0.00	
FUND MANAGERS	0.00	
TERM DEPOSITS	67,999,999.00	
CALL ACCOUNT	11,700,000.00	146,124,175.50

WATER FUND

TERM DEPOSITS	56,000,000.00	
FUND MANAGERS	0.00	56,000,000.00

SEWERAGE FUND

TERM DEPOSITS	80,000,000.00	
FUND MANAGERS	0.00	80,000,000.00

TOTAL INVESTMENTS 282,124,175.50

It should be noted that the General Fund investments of \$146 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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

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



Responsible Accounting Officer
Manager Financial Services
Tweed Shire Council

OPTIONS:

Not Applicable.

CONCLUSION:

Not Applicable.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Not Applicable.

c. Legal:

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

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

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

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

(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and

(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.

(2) The report must be made up to the last day of the month immediately preceding the meeting."

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

ORDERS OF THE DAY



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2.1 Council will be underpinned by good governance and transparency in its decision making processes
-

18 [NOR-CM] Kingscliff Locality Plan Community Consultation

NOTICE OF RESCISSION:

Councillor J Owen, W Polglase and P Allsop hereby give notice that at the next Ordinary Council meeting of Council we will move that the resolution from the meeting held on Thursday 16 March 2017 at Minute No 88 Item No 12 titled [PR-CM] Kingscliff Locality Plan Community Consultation, being:

"that Council adopts Option 5 - Progress the draft Kingscliff Locality Plan to formal public exhibition without additional community based workshop with the following adjustments:

- a. The Marine Parade Town Centre Precinct be limited to a building height of 11.0 metres.*
- b. All other areas of medium density residential zones be limited to a building height of 12.2 metres.*
- c. All mixed use and business zones be limited to a building height of 13.6 metres.*
- d. The Kingscliff hill area, bounded by Moss Street/Sutherland Street and Boomerang Street/Cudgen Road be limited to a building height of 9.0 metres.*
- e. This revised draft plan be brought to Council prior to public exhibition.*
- f. As a consequence of the previous consultation that demonstrated support for more casual open green space, a report be bought back on the potential to facilitate this by providing for an equitable distribution between casual open green space and structured open space."*

be rescinded.

19 [NOM] Kingscliff Locality Plan Community Consultation

NOTICE OF MOTION:

Councillor J Owen moves that a series of resident meetings be organised to progressively gain input and guide the direction to a specific redevelopment proposal for the site owned by Chen-Yu Pty Ltd, Pearl Street Kingscliff.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

An option which could be pursued either simultaneously or in lieu of a whole of locality building height review workshop or externally facilitated workshops is to focus on building height and development opportunities over the Kingscliff Shopping Village site. This is one of the key development sites within the town centre precinct where building height increases have been foreshadowed within draft strategies presented to date along with a number of community public benefit outcomes. Council is also aware that the owners of this site, who have been recently been undertaking conceptual design work across this site, have expressed a strong interest in participating in community consultation events (Option 4).

Management Comments:

Through the extensive community, landowner and stakeholder consultation, enquiry by design workshop and Kingscliff shopfront, there was broad support for the conceptual planning and design schemes exhibited for this important landmark site, and which sought to capitalise on net public benefits through broadly agreed planning benefits in return. Procuring additional public car-parking and a new centralised modern library at no cost to the community was a key objective, and was generally supported by the landowner. This motion will provide an opportunity for the Landowner to address the community directly and to highlight the economic cost and realities of a private landowner delivering these public benefits to Council at no cost. This will assist the community with their understanding of the need to compensate the landowner with additional development capacity to offset the cost to them of providing a public benefit, particularly in this instance as these are not incidental to the shopping centre redevelopment. The workshop can be readily facilitated by an external consultant with suitable qualifications. Options for additional public engagement were reported in the Business Agenda to the 16 March Council Meeting and provide various options that can be drawn from. Alternatively, a single facilitator, assisted by Council's Communications staff, could be organised to reduce costs. The community workshop is supported and welcomed by Council's planning staff.

Delivery Program:



Civic Leadership



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.2	Improve decision making by engaging stakeholders and taking into account community input
1.2.4	Involve communities including youth, elderly and aboriginal groups in decision making that affects their area and the wider Tweed community
2	Supporting Community Life
2.6	Improve urban design
2.6.1	Design new urban areas to be sustainable, complement existing environmental values and the Tweed's scenic beauty

Budget/Long Term Financial Plan:

The cost of facilitating a meeting with a single suitably qualified facilitator (such as an urban designer or architect) will be upward of \$6,000. This would be additional to the current project and Unit budget.

Legal Implications:

Nil.

Policy Implications:

The outcome of the facilitated workshop may result in a policy change through support for amending current and resolved positions on building height for the land. This is an ordinary part of strategic town planning.

20 [NOR] Independent Review of Tweed's District Water Supply and Demand Management Reports 2010

NOTICE OF RESCISSION:

Councillor P Allsop, J Owen and W Polglase hereby give notice that at the next Ordinary meeting of Council we will move that the resolution from the meeting held on Thursday 16 March 2017 at Minute No 121 Item No 45 titled [NOM] Independent Review of Tweed's District Water Supply and Demand Management Reports 2010 being:

"that

1. *A comprehensive independent review of Council's Tweed District Water Supply, Demand Management and Drought Management reports be undertaken, as a matter of priority, to determine if those recommendations are still relevant, if new technological advances are available or now affordable, and to give further peer reviewed consideration for the most ecologically sustainable, climate change resilient, cost effective and socially acceptable long term water management and augmentation options available.*
 - a) *Such a review should include, but not be limited to, consideration of the full range of demand management, drought security, and supply options available.*
 - b) *This review to be undertaken concurrently with the progression of the current planning processes and land acquisitions for the raising of the Clarrie Hall Dam wall,*
2. *The community working group that was previously established to consider the water augmentation options be reconvened (with the exception for new Councillor representatives, and any vacancies to be advertised), to recommend the terms of reference for the review, recommend the selection criteria and weightings for selecting a preferred consultant for the review, and as a project reference group for the review."*

be rescinded.

21 [NOM] Dual Use of the Tweed Rail Corridor for the Rail Trail

NOTICE OF MOTION:

Councillor K Milne moves that Council brings forward a report to the next Council meeting on the potential to construct a rail trail alongside the existing rail lines, to allow the preservation of the rail lines, (rather than the current plan of building the rail trail over the existing rail lines), with consideration of diverting the trail in parts if necessary to the roads etc, where dual access along the rail corridor is not possible.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Nil.

Management Comments:

Council has previously resolved to support the creation of the Northern Rivers Rail Trail (NRRT) from Murwillumbah to Casino and subsequently resolve to make application for funding to the Federal and State Governments for \$13million to create a trail utilising the existing corridor from Murwillumbah to Crabbes Creek.

There are significant issues in utilising the corridor for dual purpose (train and cycling/walking). Consideration of a report as indicate in the Notice of Motion has the potential to compromise the current funding applications being considered by the Federal and State Governments.

Prior to receipt of this Notice of Motion Council received a request from Byron Shire Council seeking Tweed Shire's support for the concept. A report was prepared for consideration by Council and is included as an agenda item for this business paper.

Delivery Program:

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.5 Provide vibrant and accessible town, community and business centres
 - 2.5.1 Encourage establishment of well located centres to provide a wide range of mixed-use retail, commercial and community services, supported by high amenity public spaces, quality urban and good access by public transport or bicycle
-

Budget/Long Term Financial Plan:

The cost to undertake a review of the suitability of dual use of the rail corridor would be significant at this time.

Legal Implications:

Nil.

Policy Implications:

Nil.

22 [NOM] Round Table Discussions

NOTICE OF MOTION:

Councillor C Cherry moves that Council progresses a trial of community round table discussions as per the Byron Bay model to increase community engagement and Council's understanding of residents issues.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

The Round Table model in Byron Shire is held every 3 months at Council Offices. An invitation to submit an agenda is sent out 2-3 weeks prior to the round table. Each area representative send in their agenda no later than 7 days prior to the round table.

The attendees include two representatives from each Chamber of Commerce/Community Association or Group, whichever is appropriate, available Councillors, Mayor & Deputy Mayor and representatives from relevant departments as per agenda items

Examples of possible agenda items are:

- Road works;
- Parking;
- Traffic;
- Garbage bins;
- Maintenance;
- Festivals/events;
- Signage; and
- Clarification.

and whatever the major issues are from the residents of each area.

Benefits of this model include:

- Saves the council money and time
- Council is seen in a positive light
- Enables any questions, enquiries, issues and ideas to be dealt with by council at these meetings
- The residents are much more satisfied as they have direct voice to council
- The representatives are able to give answers or updates to their community

Management Comments:

Given the current review being undertaken of Council's existing Community Engagement Strategy, and following on from the review strategy workshop that was held with Councillors

on Saturday 4 February 2017, it is suggested that this particular method of engagement be given consideration for potential inclusion in the drafting of the new Community Engagement Strategy over the next few months.

Delivery Program:

Validms



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.4 Involve communities including youth, elderly and aboriginal groups in decision making that affects their area and the wider Tweed community
-

Budget/Long Term Financial Plan:

Associated expenditure has not yet been determined.

Legal Implications:

Nil.

Policy Implications:

Community Engagement Strategy to be reviewed,

23 [NOM] Preservation of Norfolk Pines in Kingscliff

NOTICE OF MOTION:

Councillor R Cooper moves that the relevant Council department(s) investigate options for the most secure preservation of the Norfolk Island pines and the Cook Pines on the Tweed Coast in Kingscliff and Cudgen, particularly with an heritage order being the preferred option.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

Redevelopment of the Kingscliff Beach Holiday Park and the creation of the Central Park, particularly but not exclusively.

Management Comments:

There is no general 'heritage order' as such for the listing of heritage items or places under the Heritage Act 1977, and the Interim Heritage Order (IHO) process under the Act is intended for use when there is an imminent threat to a 'building, relic or place'. It provides a timeframe and process for the assessment of and heritage protection through listing where there is identifiable heritage significance, and hence is appropriate in those circumstances. It is noted that the Heritage Act does not make specific provision for trees, though they may be captured within the curtilage of a building, relic or place.

There appear to be two appropriate pathways for the protection of the trees:

- A) An assessment of the heritage significance, under the Office of Environment and Heritage (OEH) Guidelines with a view to preparing a report to support a heritage listing. This would require the resolution of Council to then proceed with an amendment (planning proposal) to the Tweed LEP 2014 to list the trees within Schedule 5. This process would take approximately 18 months, would require input from a heritage consultant and an arborist (to confirm the longer term health of the trees) and would likely cost upward of \$20,000 to complete the listing. The flow on implication of heritage listing will be ongoing tree maintenance (arborist) costs to ensure the health of the trees.
- B) Listing of the trees on the Tweed's Significant Tree Register (STR) which is located within the Tweed DCP Section A16 Preservation of Trees or Vegetation, which is was developed for this purpose. The STR is located in Schedule 2 to the DCP Section A16 and which can be more readily amended. This would take about 3-4 months owing to statutory procedures with an estimated financial cost (excluding staff resourcing) of \$1200. This process is not as rigorous as amending the LEP and would not need to justify the heritage significant of the trees against the Act's criteria for significance.

Heritage listing of trees is temporary given they have a limited lifespan and does not commonly occur. Listing of the trees in Schedule 2 of the DCP Section A16 is recommended.

Delivery Program:

Validms



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
 - 4.1 Protect the environment and natural beauty of the Tweed
 - 4.1.3 Manage and regulate the natural and built environments
-

Budget/Long Term Financial Plan:

Full heritage assessment for the purpose of amending the Tweed LEP will have a financial impact and will need to be included within the budget. Amending the DCP to include the trees within the Significant Tree Register can be accommodated within current advertising budget.

Legal Implications:

Unlikely to arise in respect of a DCP amendment and will only arise in association with an LEP amendment if the procedural aspect of the decision-making process is challenged.

Policy Implications:

Listing trees on the Significant Tree Register that are for one reason or other valued by the community is consistent with the intent of the Register. Listing items as heritage items that do not otherwise qualify under the established guidelines is inconsistent with current policy, and undermines the integrity of the heritage listing inventory as a whole.

24 [NOM] Murwillumbah Mural Policy

NOTICE OF MOTION:

Councillor C Cherry moves that Council recognises the Treasures of the Tweed mural in Murwillumbah as a valuable overall theme for the town and develops a policy encouraging murals in the town which have a central theme of the natural environment.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

I believe Murwillumbah is going to need help recovering from the devastating floods and believe a central theme, making the most of the murals we have and tying in with the art/creative focus for the town while encouraging appreciation of our natural assets may create a tourism focus the town needs. Other towns who have used murals as a central theme for their towns, to create a tourist drawcard include: Chemainus in Canada (see www.muraltown.com) and Sheffield in Tasmania.

Management Comments:

The Treasures of the Tweed Mural is a good example of public art work and reflects the 'Caring for the Environment theme' detailed in the current Placemaking and Public Art Policy which was adopted on 20 February 2014. The current policy states:

"Caring for the Environment – The Placemaking and Public Art Policy values projects which celebrate and complement the natural environment. By increasing civic pride, the Policy aims to increase community value, respect and participation in the care and management of both natural and built environments in the Tweed."

The natural environment is also a strong theme in the feedback received in preparation of the draft Cultural Plan which is currently in development. Once the Cultural Plan has been developed and adopted by Council a review of the Placemaking and Public Art Policy will be undertaken. It is envisioned that the review will maintain the prominence of the theme of the natural environment based on the feedback received to date.

The Public Art Reference Group (PARG) uses The Appendix 1. Implementation of New works protocol which provides for

- "c) *Priority will be given to high-quality, innovative and well-developed proposals which:*
- *consider public safety, risk and the public's use of and access to the public space ..."*

Council does not currently have a budget allocation for the commissioning of public art and there is an allocation of \$7,092 for the insurance and maintenance of all public art works across the Shire. There is no budget allocated for the commissioning of public art.

Delivery Program:

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
 - 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
-

Budget/Long Term Financial Plan:

The installation and ongoing maintenance of public art murals is currently not provided in the Budget. There is an allocation of \$7,092 for the maintenance and insurance of all current public art installations across the Shire.

Legal Implications:

Nil.

Policy Implications:

Placemaking and Public Art Policy to be reviewed following Council adoption of Cultural Plan

25 [NOM] Tweed Sugar Cane Industry Management Plan

NOTICE OF MOTION:

Councillor C Cherry moves that Council works with the Sugar Cane industry to create a Management Plan addressing drainage issues effecting viability of land currently under cane cultivation.

Councillor's Background Notes

Recommended Priority:

Nil

Description of Project:

Nil.

Management Comments:

Delivery Program:

Validms



Caring for the Environment

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Caring for the Environment
4.5	Improve the environmental capacity of the Tweed agriculture lands
4.5.2	Promote and encourage partnerships between farming communities, governments and research institutions through consultation and participation

Budget/Long Term Financial Plan:

Development of a Management Plan to address drainage issues is likely to have significant budget implications as flood studies and site specific investigations will be required to adequately inform management actions in the plan. Development and implementation of a Management Plan would require grant funding.

Therefore, this Notice of Motion could be a longer term view. Short term actions could include development of a management plan specifically for Condong Creek, which is a key drain impacting a large portion of the floodplain. Additionally, Council and the Drainage Boards/Unions could develop protocols together around development notification and approvals impacting on the cane drains. These short term measures could be met within existing budgets and resources.

Legal Implications:

A management plan will assist in assigning clear responsibilities for maintenance and operation of flood mitigation assets and drainage channels, and clarify approvals pathways for associated works.

Policy Implications:

The NSW sugar industry operates under a Farming Code of Practice. The Code provides guidance for maintaining effective drainage infrastructure that removes excess surface water in a way that does not impact negatively on other land uses or users in the catchment. These works occur primarily on private land and are the responsibility of individual landholders. In some instances drainage unions have responsibility for managing larger drains (also known as 'union drains') irrespective of tenure.

Council owns the majority of floodgates that help protect cane farms from inundation when the river floods. They can also impede the drainage of water back off the floodplain after a flood, however Council actively manages the floodgates to ensure they are functioning correctly. Typically the area between the river and the floodgate is Crown waterway and often environmentally constrained. There is the perception that drainage is impeded by a lack of vegetation management in these areas and modifications would improve drainage. A Management Plan would need to consider the effect of these perceived bottle necks on drainage and what works and relevant approvals would be required.

The NSW Sugar Industry controls on-farm management of acid sulfate soils through a self-regulation scheme. The Tweed LEP 2014 provides industry with an exemption to excavate acid sulfate soils in drains as long as they hold a valid production area entitlement to grow cane, and the works are done in accordance with a drain management plan approved by Sunshine Sugar. Council participates in an annual audit of drain management plans to ensure compliance. A Management Plan could reemphasise these arrangements and include a review of the effectiveness of the existing self-regulation scheme.

Council also works with the industry to reduce their need for drain maintenance works by revegetating cane drains effectively improving drain stability and waterway health. Established vegetation on drain banks has been shown to reduce bank slumping and maintains drainage function. A Management Plan could highlight the benefits of these works and encourage more widespread industry adoption.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

26 [SUB-SAC] Minutes of the Sports Advisory Committee Meeting held Monday 13 February 2017

SUBMITTED BY: Recreation Services

Valid



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.6 Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities
-

SUMMARY OF REPORT:

The Minutes of the Sports Advisory Committee Meeting held Monday 13 February 2017 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the Minutes of the Sports Advisory Committee Meeting held Monday 13 February 2017 be received and noted.

REPORT:

The Minutes of the Sports Advisory Committee Meeting held Monday 13 February 2017 are reproduced as follows for the information of Councillors.

Venue:

Banora Point Community Hall

Time:

5.00pm

Present:

Cr Pryce Allsop, Cr Warren Polglase, Matt McCann, Rob Nienhuis, Gillian Austin, Helen Rigney, Linton Alford, Bruce Campbell, Dion Andrews

Apologies:

Merve Edwards; David Buckland

Minutes of Previous Meeting:

Moved: Cr Pryce Allsop

Seconded: Helen Rigney

RESOLVED: Minutes from the Sports Advisory Committee meeting held on Monday 8 August 2016 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising: Nil

Agenda Items:

1. Committee Induction

Neil Baldwin Councils Manager Corporate Governance provided an induction session for committee members. A briefing of Councils Code of Conduct was undertaken and it was explained that committee members need to abide by the code. A copy of the Code of Conduct has been provided to all committee members.

2. Terms of Reference

Matt discussed the Terms of Reference and all committee members were given a copy.

The committee accepted David Buckland's resignation. Unfortunately David was unavailable due to work commitments.

3. Nomination for Australian Sports person of the year – Tracey Stinson

Tracey discussed the Australian sports person of the year awards and the committee taking custodianship by recognising and promoting sports people from the Tweed.

4. David Devine – Murwillumbah Basketball Association

David Devine from Murwillumbah Basketball Association updated the committee on the funding he has sourced for a two court facility at Knox Park which included state and federal funding amounting to \$82,000. Tweed Shire Council will be contributing in kind through managing the project at an anticipated cost of \$20,000.

5. NR Football – Outstanding Fees/Usage Issues

The committee discussed the ongoing issues relating to NR Football and their usage of Council sporting fields. Regrettably, NR Football has breached their licence agreement/requirements on numerous occasions and still has outstanding fees owing to Council. Council will make all efforts to recover the debt and the committee has agreed that no future licence be issued to NR Football or any affiliation with Jason Wagner.

6. Bilambil Jets SRLFC – Outstanding Fees

The committee was advised that Bilambil Jets Senior Rugby League Football Club have paid their outstanding fees.

7. Dogs on Sportsfields

The committee provided feedback to the review of off leash dog management and requested that dogs be kept on leash while attending sporting events.

8. Sports Field Assets Reserves Trust Fund Application

Pottsville Cricket Club

Matt to follow up with Pottsville Cricket Club to confirm percentage of contribution being sort from the Sports Field Assets Reserves Trust Fund.

Murwillumbah Netball Club

Murwillumbah Netball Club lodged an application through the Sports Field Assets Reserves Trust Fund for \$2,000 to engage a consultant to develop a five year business plan.

Decision – The committee unanimously approved the request from Murwillumbah Netball Association for a grant of \$2,000 to engage a consultant to develop a five year business plan.

General Business:

A request for Jodie Hewett Councils Recreation Planner to attend the next committee meeting to share the feedback received from the community consultation process in developing Councils draft Open Space Strategy.

Matt to clarify how funding is sourced for the Sports Field Asset Reserves Trust Fund at the next meeting.

The committee has requested a list of the clubs that hold a seasonal licence and a map showing the location of all Council's sports fields.

Council's Sports Field Officer Gary Bryant to reignite biannual meetings between clubs that share fields.

Next Meeting:

The next meeting of the Sports Advisory Committee will be held 25 April 2017.

The meeting closed at 6.45pm.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - adopted 21 August 2012 (ECM2846627).

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.

27 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 16 March 2017

SUBMITTED BY: Roads and Stormwater



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.1	Provide a safe and efficient network of arterial roads connecting neighbourhoods to town centres, employment, shopping, health, commercial and education facilities

SUMMARY OF REPORT:

The Minutes of the Local Committee Meeting held Thursday 16 March 2017 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 16 March 2017 be received and noted; and**
- 2. The Executive Management Team's recommendations be adopted as follows:**

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A2 [LTC] Boundary Street, Tweed Heads

That:

- 1. The proposed use of car parking in Boundary Street and adjacent to Twin Towns Services Club for the display of vehicles associated with the Cooly Rocks event be supported.***
- 2. The proposed signage and traffic control associated with the conduct of the Cooly Rocks event be supported subject to:***
 - 1. NSW Police approval being obtained.***

2. **Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.**
3. **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.**
4. **Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.**
5. **Adequate public liability insurance being held by the event organiser.**
6. **All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.**
7. **Consultation with emergency services and any identified issues addressed.**
8. **That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.**
9. **The submission and approval of a Community Event application/Major Event application (including proposed use of any Council parks or reserves) and compliance with any conditions imposed therein.**
10. **A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.**

A3 [LTC] Kent Street, The Quarterdeck and The Jib, Tweed Heads

That a "Give Way" line and signage be installed on the western exit of the side road between Kent Street and The Jib, Tweed Heads.

A4 [LTC] Kirkwood Road, Tweed Heads South

That "Police vehicles excepted" signage be installed in association with the "No Stopping" zone on the north side of Kirkwood Road adjacent to the noise barrier west of Falcon Way in accordance with RMS delineation manual (Part 13).

REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 16 March 2017 are reproduced as follows for the information of Councillors.

VENUE:

Mt Warning Meeting Room

TIME:

Commencing at 9.30am

PRESENT:

Committee Members: Cr James Owen, Snr Constable Tony Darby, NSW Police, Mr Rod Bates on behalf of Mr Geoff Provest MP, Member for Tweed.

Informal: Mr Ray Clark (Chairman), Ms Alana Brooks, Ms Sandy Zietlow (Minutes Secretary). Ms Rose Wright addressed the Committee at 10am and left at 10.20am.

APOLOGIES:

Mr Thomas George MP, Member for Lismore; Mr Geoff Provest MP, Member for Tweed; Mr Alan Eichmann Roads and Maritime Services of NSW; Ms Judith Finch (Minutes Secretary); Mr Nick Tzannes.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MIN1 [LTC] Confirmation of Previous Minutes Meeting held 16 February 2017

ORIGIN:

Roads & Stormwater

"RESOLVED that the Minutes of the Local Traffic Committee Meeting held 16 February 2017 be adopted as a true and accurate record of proceedings of that meeting."

SCHEDULE OF OUTSTANDING RESOLUTIONS

SCH1 [LTC-SOR] Schedule of Outstanding Resolutions - 16 March 2017

From Meeting held 16 February 2017

[LTC] Boyd Street, Tweed Heads (Item A6)

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4406755; Traffic - Committee; Pedestrian Safety; Local Area Traffic Management; Boyd Street, Tweed Heads

SUMMARY OF REPORT:

At the Local Traffic Committee Meeting on 8 September 2016 the Committee supported upgrading the existing kerb extensions on Boyd Street to a refuge, to allow pedestrians to cross in two stages. This proposed upgrade would create a slow point in the traffic to assist

pedestrians but will reduce on street parking. Approximately six spaces would need to be removed to allow sufficient sight distance at the crossing point.

RECOMMENDATION TO COUNCIL:

That the installation of a refuge and slow point on Boyd Street, near the Tweed Day Surgery be deferred subject to community consultation with adjacent residents and business operators.

Current Status: *That Item A6 Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 16 February 2017 remain on the list of Outstanding Resolutions.*

(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 16 February 2017 (Item A6).

From Meeting held 16 February 2017

[LTC] Norths Lane - Speed Limit (Item B1)

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4296897; Traffic - Committee; Traffic - Speed Zones; Traffic - General;
Norths Lane, Nunderi

SUMMARY OF REPORT:

Etiene La Grange and Alan Eichmann arrived at 10.15am

Request received for a reduction in the speed limit on Norths Lane, Nunderi from 70km/h to 50km/h from Seven Oaks Drive to Clothiers Creek Road.

There are 10 direct driveway accesses through this 900 metre section and limited street lighting. In 2012 the AADT was 298 vehicles and the 85th percentile speed was 58 km/h.

The speed limit on Clothiers Creek Road is 60km/h with an open limit on Norths Lane east of Seven Oaks Drive. There are no separate pedestrian facilities and there is a park with direct road frontage through this section. A review of the five year crash history has revealed no reported crashes.

COMMITTEE ADVICE:

That the request to review the speed limit on Norths Lane, Nunderi be referred to Roads & Maritime Services (RMS).

From Meeting held 16 March 2017:

The RMS advised that the Speed Zoning Review Process is being undertaken. Council will be informed of the outcome in due course and this item be removed from the Schedule of Outstanding Resolutions.

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

Nil.

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A1 This item has been moved to Section B6 at the request of the Chairperson.

A2 [LTC] Boundary Street, Tweed Heads

ORIGIN:

Roads & Stormwater

FILE NO: ECM4434988; Traffic - Committee; Traffic - Parking Zones, Boundary Street
Tweed Heads

SUMMARY OF REPORT:

Request received in relation to the Cooly Rocks on 2017 event, for the use of carparks along Jack Evans Boat Harbour and the Tweed Shire Council carpark in Boundary Street, and on the eastern side of Twin Towns Services Club for this year's event.

The carpark in Boundary Street along the park would be used to display classic vehicles from 5am Saturday 10 June till 5pm Sunday 11 June 2017, and the carpark adjacent Twin Towns Services Club would be used to display classic vehicles from 5am Thursday 8 June till 5pm Sunday 11 June 2017, both zones would be close to the public for the duration of these dates and times.

Although there are no road closures in the Tweed Shire, the Cooly Rocks Traffic Management Plan has been provided because there will be a significant impact on Tweed Roads in the vicinity of the Cooly Rocks event.

RECOMMENDATION TO COUNCIL:

1. The proposed use of car parking in Boundary Street and adjacent to Twin Towns Services Club for the display of vehicles associated with the Cooly Rocks event be supported.
2. The proposed signage and traffic control associated with the conduct of the Cooly Rocks event be supported subject to:

1. NSW Police approval being obtained.
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
3. 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.
4. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
5. Adequate public liability insurance being held by the event organiser.
6. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
7. Consultation with emergency services and any identified issues addressed.
8. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
9. The submission and approval of a Community Event application/Major Event application (including proposed use of any Council parks or reserves) and compliance with any conditions imposed therein.
10. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.

FOR VOTE - Cr James Owen, Mr Rod Bates, on behalf of Mr G Provest, Member for Tweed, Snr Constable Tony Darby, NSW Police, VOTE (via email) - Mr Alan Eichmann, Roads and Maritime Services of NSW
AGAINST VOTE - Nil

A3 [LTC] Kent Street, The Quarterdeck and The Jib, Tweed Heads

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4343925; Traffic - Committee; Traffic - Safety; Speed Zones; Pedestrian Safety; Kent Street; The Jib; The Quarterdeck, Tweed Heads

SUMMARY OF REPORT:

Request received regarding the side access street for some homes between Kent Street and The Jib, Tweed Heads.

There is no clear indication of who has priority at the intersection of the side road and The Jib and this is causing confusion and near misses. The resident also reported that cars are regularly disobeying the "No entry" signage on the side road.

It is proposed to install a "Give Way" line on the side street to reduce potential conflict at the intersection by giving road users a clear indication of priority. Linemarking could also be installed to discourage drivers from entering from the prohibited west end.

RECOMMENDATION TO COUNCIL:

That a "Give Way" line and signage be installed on the western exit of the side road between Kent Street and The Jib, Tweed Heads.

FOR VOTE - Cr James Owen, Mr Rod Bates, on behalf of Mr G Provest, Member for Tweed, Snr Constable Tony Darby, NSW Police, Vote via email Mr Alan Eichmann, Roads and Maritime Services of NSW

AGAINST VOTE - Nil.

A4 [LTC] Kirkwood Road, Tweed Heads South

ORIGIN:

Roads & Stormwater

FILE NO: Traffic - Committee; Traffic - Parking Zones; Police; Kirkwood Road

SUMMARY OF REPORT:

Tweed Police have requested Police vehicles be able to use the "No Stopping" zone on north side of Kirkwood Road adjacent to the noise barrier west of Falcon Way., Tweed Heads South, for random breath testing and speed enforcement.

RECOMMENDATION TO COUNCIL:

That "Police vehicles excepted" signage be installed in association with the "No Stopping" zone on the north side of Kirkwood Road adjacent to the noise barrier west of Falcon Way in accordance with RMS delineation manual (Part 13).

FOR VOTE - Cr James Owen, Mr Rod Bates, on behalf of Mr G Provest, Member for Tweed, Snr Constable Tony Darby, NSW Police, Vote via email - Mr Alan Eichmann, Roads and Maritime Services of NSW

AGAINST VOTE - Nil.

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE - MURWILLUMBAH

Nil.

GENERAL TRAFFIC ADVICE - TWEED HEADS

B1 [LTC] Anne Street and Philip Street, Pottsville

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4421529; Traffic - Committee; Traffic - Safety; Anne Street; Philip Street

SUMMARY OF REPORT:

Request received in relation to vehicles entering Anne Street from Philip Street, against a "No Entry" sign. A recent incident has occurred where a vehicle turned into Anne Street from Philip Street, nearly colliding with 2 children on bicycles. It is reported that vehicles turning into Anne Street is a common occurrence.

The applicant is requesting that a barrier be installed prohibiting a right turn at the intersection of Anne Street and Philip Street.

The applicant was advised by phone that the newly constructed intersection of Charles Street and Overall Drive has a no right turn sign due to the limited sight distance available. The sight distance available from Anne Street onto Overall Drive is considered appropriate and prohibiting right turns is not warranted.

COMMITTEE ADVICE:

That the installation of "no right turn" signage on Anne Street into Overall Drive/Phillip Street is not supported due to the available sight distance being adequate.

B2 [LTC] Casuarina Way, Casuarina

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4422587; 4441099; Traffic - Committee; Pedestrian Crossings; Roundabouts; Safety; Speed Zones; Pedestrian Safety; Casuarina Way; Grand Parade

SUMMARY OF REPORT:

Request received in relation to formalising the speed zones on Casuarina Way, Casuarina using advisory speed signs, traffic monitoring, police patrols and / or traffic calming.

A complaint has been made about the roundabout on the intersection of Grand Parade and Casuarina Way. A pedestrian crossing or safe way for pedestrians / cyclists to cross from Coles to the other side has been requested.

Additional 50km/h signage has been installed along the length of Casuarina Way. Police patrols are being conducted and feedback will be provided to the Committee at the meeting.

Council has received numerous complaints about the adequacy crossing facilities on Casuarina Way, particularly in the vicinity of Riberry Drive and Grand Parade. These locations do not have the minimum number of pedestrians to meet the RMS Guidelines for marked Pedestrian Crossings. While pedestrian refuges are provided at all crossing points at Grand Parade roundabout, additional refuges should be considered at other crossing points along Casuarina Way in future programs.

COMMITTEE ADVICE:

That:

1. Council installs additional refuges along Casuarina Way subject to funding, community consultation and prioritisation.
2. Council's Road Safety Officer works with the schools in the Shire to encourage parents to meet their children at school bus locations.
3. Council officers pursue grants to purchase courtesy speed boards which can be rotated around priority areas.

B3 [LTC] McPhail Avenue, Kingscliff

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4364185; 4365154; Traffic - Committee; Traffic - Local Area Traffic Management; Speed Zones; McPhail Avenue; Gibson Street

SUMMARY OF REPORT:

Request received in relation to the perceived high speed and volume of traffic on McPhail Avenue, Kingscliff. It has been reported that the volume of traffic is also a major concern now and given the amount of development still to come at South Kingscliff is unlikely to abate in the future. It is also reported to be unsafe to drive out of driveways with cars, buses and trucks speeding at speeds in excess of 80 km per hour in a suburban street.

The customer has asked to be present at the Local Traffic Committee meeting and has proposed that in the interim mobile speed cameras are placed on McPhail Avenue in both directions immediately east of the Gibson Street intersection, which is one of the speeding hot spots. Permanent speed cameras are requested in this location to solve the issue and change driver behaviour.

Speed cameras are installed and managed by Roads & Maritime Services and Council officers have requested that McPhail Avenue be included for consideration of installation. In the past 5 reporting years there have been 2 injury and 1 non-injury crash on McPhail Avenue. Council is currently reviewing its Tweed Road Distribution Strategy and possible links between Casuarina Way and Cudgen Road will be investigated to alleviate perceived high volume traffic usage of McPhail Avenue.

Recent speed surveys were conducted on McPhail Avenue west of Gibson Street which found that the 85th percentile speed was 59km/h for a 24hr period.

That the RMS has advised that the NSW Speed Camera Strategy outlines criteria for the installation of mobile speed camera sites. The strategy specifically states in regional areas of NSW mobile speed cameras are regularly deployed to areas that have been identified as having potential for high risk crashes or have had a fatal crash. As such the installation of the mobile speed camera sites in these areas are not supported, alternative speed reduction

measures should be considered including targeted police enforcement as a first option and/or a local area traffic management scheme.

Ms Wright addressed the Committee and put forward that she considered that there were a significant increase in speeds over the years, particularly in the night time and acknowledged that the increases in traffic volumes are a result of further development in the area. Ms Wright requested that a fixed speed camera be installed and advice was provided that the RMS who controls these devices determine their placement primarily on crash criteria, and as there is a low crash history on McPhail Avenue the installation of a fixed speed camera is unlikely to be supported.

COMMITTEE ADVICE:

That:

1. Council officers install additional 50km/h signage on McPhail Avenue.
2. Further speed surveys are undertaken on McPhail Avenue for an extended period, subject to consultation with adjacent residents, to provide baseline data of speeding in this area.
3. Officers pursue grants for pole mounted advisory radars and a program be developed for their circulation in Tweed Shire.

B4 [LTC] Chinderah Bay Drive, Chinderah

ORIGIN:

Roads & Stormwater

FILE NO: ECM 4419345; Traffic - Committee; Traffic - Safety; Traffic - Speed Zones; Chinderah Bay Drive, Chinderah

SUMMARY OF REPORT:

Request received from Tweed Heads Police to consider a request for the installation of speed bumps along Chinderah Bay Drive to deter speeding drivers.

Speed bumps are generally not recommended for use on arterial roads or commercial bus routes or roads that carry high volumes of traffic. To be effective speed bumps should be installed at 100 and 200 metre intervals and Council has a limited budget for traffic calming facilities.

COMMITTEE ADVICE:

That the installation of speed bumps on Chinderah Bay Drive is not supported due to the function of the road.

B5 [LTC] Champagne Drive, Tweed Heads South

ORIGIN:
Roads & Stormwater

FILE NO: ECM 4404818; Traffic - Committee; Traffic - Issues; Champagne Drive;
Vintage Lakes Drive

SUMMARY OF REPORT:

Request received for the installation of 'No Standing' signs in Champagne Drive at the intersection with Vintage Lakes Drive, Tweed Heads South.

It is reported that there are double centre lines in Champagne Drive from 30 metres north to 70 metres south of Vintage Lakes Drive and drivers are parking almost opposite Vintage Lakes Drive and sometimes on the south-eastern side of Champagne Drive, creating a dangerous situation for vehicles accessing or exiting Vintage Lakes Drive.

Parking within three metres of double centre lines is prohibited under the NSW Road Rules and vehicles observe breaching these rules should be referred to Council's Rangers for appropriate action. Further signage is not considered warranted as the drivers who would be parking in this area would be most likely be adjacent residents who could be easily educated.

COMMITTEE ADVICE:

That the installation of additional prohibited parking signs in Champagne Drive at the intersection of Vintage Lakes Drive is not supported and adjacent residents be provided with the requirements in relation to parking within three metres of unbroken centre lines.

B6 [LTC] Eviron Road and Farrants Road, Farrants Hill

ORIGIN:
Roads & Stormwater

FILE NO: TRA16/0077; Traffic - Committee; Traffic - Safety; Bicycle Matters - General
(Incl. Scooters); Eviron Road; Farrants Road

SUMMARY OF REPORT:

A request has been received to install a safety mirror at the intersection of Eviron Road and Farrants Road, Farrants Hill.

According to NSW Guidelines a Convex Safety Mirror should only be installed if there is a severe problem of poor visibility/sight distance and there are no other viable options available including traffic management measures or engineering measures. Generally the 85th percentile speed should be under 50km/h and traffic counts under 300 vehicles per day.

Traffic survey findings will be presented to the Committee for consideration.

The speed survey found the 85th percentile speed of vehicles approaching the intersection was 64km/h

COMMITTEE ADVICE:

That the request for installation of a convex safety mirror at the intersection of Eviron Road and Farrants Road, Farrants Hill not be supported due to vehicle speeds being in excess of the guidelines for the installation of Convex mirrors.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 20 April 2017 in the Mt Warning Meeting Room commencing at 9.30am.

There being no further business the Meeting terminated at 11.20.

SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A2 [LTC] Boundary Street, Tweed Heads

That:

- 1. *The proposed use of car parking in Boundary Street and adjacent to Twin Towns Services Club for the display of vehicles associated with the Cooly Rocks event be supported.***
- 2. *The proposed signage and traffic control associated with the conduct of the Cooly Rocks event be supported subject to:***
 - 1. *NSW Police approval being obtained.***
 - 2. *Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.***
 - 3. *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.***
 - 4. *Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.***
 - 5. *Adequate public liability insurance being held by the event organiser.***
 - 6. *All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.***

7. **Consultation with emergency services and any identified issues addressed.**
8. **That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.**
9. **The submission and approval of a Community Event application/Major Event application (including proposed use of any Council parks or reserves) and compliance with any conditions imposed therein.**
10. **A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.**

A3 [LTC] Kent Street, The Quarterdeck and The Jib, Tweed Heads

That a "Give Way" line and signage be installed on the western exit of the side road between Kent Street and The Jib, Tweed Heads.

A4 [LTC] Kirkwood Road, Tweed Heads South

That "Police vehicles excepted" signage be installed in association with the "No Stopping" zone on the north side of Kirkwood Road adjacent to the noise barrier west of Falcon Way in accordance with RMS delineation manual (Part 13).

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.

CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

C1 [MM-CM] Mayoral Minute - General Manager's Review

SUBMITTED BY: Cr K Milne, Mayor

REASON FOR CONFIDENTIALITY:

This report concerns a review of the General Manager's Contract of Employment and associated Performance Agreement and in accordance with the terms of the Guidelines for the Appointment and Oversight of General Manager's issued by the Office of Local Government, is to be considered in a Confidential Meeting.

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.2 Improve decision making by engaging stakeholders and taking into account community input
 - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
-
-

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES IN COMMITTEE

C2 [CNR-CM] Wyuna Avenue - Illegal Foreshore Works

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).

Valid



Civic Leadership

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
 - 1.3 Delivering the objectives of this plan
 - 1.3.3 Existing and future community assets will be properly managed and maintained based on principles of equity and sustainability
-
-

C3 [CNR-CM] Legal Advice on Procurement Options for RFO2016178 Expressions of Interest for the Design and Construction of an Organics Processing Facility at the Stotts Creek Resource Recovery Centre

REASON FOR CONFIDENTIALITY:

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Validms



Supporting Community Life

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
 - 2.3 Provide well serviced neighbourhoods
 - 2.3.4 Provision of high quality, best practice, solid waste disposal with energy recovery, and improving resource recovery practices and infrastructure which meets health and environmental requirements and projected demand
-
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REPORTS FROM THE DIRECTOR ENGINEERING IN COMMITTEE

C4 [E-CM] Deferred Contributions Agreement - Stone & Wood

REASON FOR CONFIDENTIALITY:

This report contains information that is commercial in confidence and should not be revealed to the public.

Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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

Validms



Strengthening the Economy

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 Strengthening the Economy
 - 3.1 Expand employment, tourism and education opportunities
 - 3.1.5 Support innovative employment generating projects
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