Items for Consideration of Council

Schedule of Outstanding Resolutions 9

Reports from Director Development Services 17

1. ORIGIN: Development Assessment Unit
   Three (3) Lot Rural Subdivision and Demolition of an Existing Dwelling at Lot 12 & 13, DP 872773, Lot A, DP 927540 Mistral Road, South Murwillumbah 19

2. ORIGIN: Strategic Town Planning Unit
   Draft State Environmental Planning Policy (SEPP) No 1 - Development Standards (Amendment No 4) 27

3. ORIGIN: Development Assessment Unit
   Erection of a Telecommunications Facility at Lot 7 DP 849367 Banksia Street, Tweed Heads West 31

4. ORIGIN: Development Assessment Unit
   Section 96 Application No. 0059/2001S96 to Modify Development Consent No. 96/519 for an Integrated Tourist Resort at Lot 5 DP 822786, Lot 31 DP 850230 and Lot 2 DP 867486 Cobaki Road and Marana Street, Bilambil Heights 37

5. ORIGIN: Development Assessment Unit
   Multi-Cap - Subdivision of Lot 7 DP 734572 North Arm Road, Murwillumbah - Proposed Bonding of Infrastructure Works 64

6. ORIGIN: Strategic Town Planning Unit
   Dual Occupancy Controls - Casuarina Beach 70

7. ORIGIN: Acting Director Development Services
   Tweed Local Environmental Plan 2000 – Combined Development applications/LEP 74
Items for Consideration of Council

Amendment Requests

Reports from Director Corporate Services 79

8. ORIGIN: Director 79
Tweed and Coolangatta Tourism Incorporated (TACTIC) - Request for Additional Funding 79

9. ORIGIN: Director 83
Local National Award Winners - Recognition 83

10. ORIGIN: Director 85
'Tourism ... a passport to regional economic growth' - A Southern Cross University Tourism Executive Development Program - 11 to 14 November 2001 85

11. ORIGIN: Director 89
Regional Co-ordination and Development Forum and the National General Assembly of Local Government, 26 to 28 November 2001 89

12. ORIGIN: General Manager 95
Tweed River Jockey Club - Half Day Holiday for Melbourne Cup 95

13. ORIGIN: General Manager 97
Proposed Art Gallery 97

14. ORIGIN: Administration Services Unit 99
Invitation to a Local Government Workshop 99

15. ORIGIN: General Manager 101
Quarterly Corporate Report 101

Reports from Director Engineering Services 121

16. ORIGIN: Planning & Design Unit 121
Policy on Road Closures & Private Purchase 121

17. ORIGIN: Planning & Design Unit 125
Proposed Subdivision - Wooyung Road, Crabbes Creek (Lot 13 DP 873331) 125

18. ORIGIN: Planning & Design Unit 134
Release of a Restriction on Use - Bilambil Road, Bilambil being Lot 24 in DP 858902 134

19. ORIGIN: Planning & Design Unit 140
Tweed Road Contribution Plan, SEPP5/Fast Food Outlets, Amendments 140
Items for Consideration of Council

20. ORIGIN: Planning & Design Unit 146
   Amendments to Section 94 Contributions Plan for Site Access and Parking 146
21. ORIGIN: Planning & Design Unit 153
   Proposed Bridge over Rous River at Kynnumboon 153
22. ORIGIN: Director 173
   Regional Plantation Transport Infrastructure 173
23. ORIGIN: Director 179
   Roads & Traffic Authority and Tweed Shire Council Road Issues 179
24. ORIGIN: Planning & Design Unit 183
   Kennedy Drive - Traffic Capacity 183
   "Kennedy Drive - Traffic Capacity and the Impact of Development" 184

Reports from Director Environment & Community Services 195

25. ORIGIN: Environment & Health Services Unit 195
   Companion Animals – Dog Off Leash Exercise Areas 195
26. ORIGIN: Recreation Services Unit 200
   Naming of Area Fronting Murwillumbah Civic Centre - "Remembrance Place" 200

Reports from Committees/Working Groups207

1. Minutes of the Clarrie Hall Dam Fishery Management Committee Meeting held Monday 9 July 2001 207
2. Minutes of the Local Traffic Committee Meeting held Friday 13 July 2001 210

MINUTES CIRCULATED TO COUNCILLORS WITH THIS AGENDA NOT REQUIRING A COUNCIL DECISION 222

3. Minutes of the Vegetation Management Plan Steering Committee Meeting held Tuesday 22 May 2001 222
4. Minutes of the Special Meeting of the Tweed River Management Plan Advisory Committee held Wednesday 4 July 2001 222
5. Minutes of the Aboriginal Advisory Committee Meeting held Tuesday 26 June 2001 222
6. Minutes of the Local Environmental Plan Advisory Committee Meeting held Tuesday 10 July 2001 222
7. Minutes of the Tweed Shire Occupational Health & Safety Committee Meeting held
Items for Consideration of Council

Wednesday 11 July 2001

8. Minutes of the Tweed Dune Care Advisory Committee Meeting held Thursday 12 July 2001

9. Minutes of the Sports Advisory Committee Meeting held Thursday 17 July 2001

10. Minutes of the Public Transport Working Group Committee Meeting held Wednesday 18 July 2001

11. Minutes of the Local Environmental Plan Advisory Committee Meeting held Tuesday 24 July 2001

Orders of the Day

1. Notice of Rescission - Cr Brinsmead, Cr Marshall and Cr Youngblutt
   Tweed River Regional Art Gallery

2. Notice of Motion - Cr Boyd
   Kynnumboon Bridge

3. Notice of Motion - Cr Boyd
   HACC Centre, South Tweed Heads

Workshops
Items for Consideration of Council

CONFIDENTIAL

Reports from Director Development Services in Committee

1. ORIGIN: Development Assessment Unit
Unauthorised Earthworks and Clearing of Lot 1 DP 1009372 Piggabeen Road, Tweed Heads West

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

Reports from Director Engineering Services in Committee

2. ORIGIN: Water Unit
EQ2001-47 - Quotation for Licence to Operate Commercial Fishing Chargers/Guides on Clarrie Hall Dam from 1 July 2001 to 30 June 2002

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (d) commercial information of a confidential nature that would, if disclosed:
(i) prejudice the commercial position of the person who supplied it, or
(ii) confer a commercial advantage on a competitor of the council, or
(iii) reveal a trade secret

3. ORIGIN: Water Unit
EQ2001-46 - Supply of Selected Materials: Leather Work Boots

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (d) commercial information of a confidential nature that would, if disclosed:
(i) prejudice the commercial position of the person who supplied it, or
(ii) confer a commercial advantage on a competitor of the council, or
(iii) reveal a trade secret

4. ORIGIN: Works Unit
Tender EC2001-63 Drilling & Blasting Services

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (d) commercial information of a confidential nature that would, if disclosed:
(i) prejudice the commercial position of the person who supplied it, or
(ii) confer a commercial advantage on a competitor of the council, or
(iii) reveal a trade secret
Schedule of Outstanding Resolutions

20 SEPTEMBER 2000

REPORTS FOR DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

27. Awnings over Footpaths - Risk Management Policy and Procedures
   Building Code, Risk Management

Cr Luff
Cr Marshall

RESOLVED that Council develops an appropriate Risk Management Policy in conjunction with advice from Council’s solicitors.


21 FEBRUARY 2001

REPORTS FROM DIRECTOR ENGINEERING SERVICES

11. Tweed Valley Flooding 2 - 4 February 2001
   Floods, SES

Cr Boyd
Cr Carroll

RESOLVED that:-

1. This report be received and noted.

2. Councillors interested in viewing the ENVIROMON Program contact the Manager Water who will arrange demonstrations.

3. The Director Engineering Services brings forward a report with recommendations as to the conduct of a flood awareness program.
4. Council co-operates in a joint public meeting with the SES.

Current Status: Report being prepared for Item 3. Other items completed.

21 MARCH 2001

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

5. Dilapidated Structures - Tumbulgum

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

C161

That Council:

1. Undertakes the work to
   a) Connect the dwelling situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum to the council sewer.
   b) Demolish and remove the dilapidated/illegal ferneries/pergolas situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.
   c) Remove waste materials and disused motor vehicles as required from Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.

2. Receives a further report to be submitted on the matter of the repairs/maintenance to the dwelling situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.

3. Raises a debt against the property to recover all costs.

Current Status:
1. Work commenced by owner and being maintained.
2. Report on the repairs/maintenance of the dwelling to be completed after other work completed.

18 APRIL 2001

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

3. Houses on Road Reserve - Reserve Creek Road

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (a) personnel matters concerning particular individuals

R4660 Pt3
Schedule of Outstanding Resolutions

C188
That Council enters into confidential discussion with each of the occupants of the premises referred to in the report prior to reporting back to council on a proposed course of action.

Current Status: To be completed

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

5. Options Cabarita Beach SLSC New Clubhouse

Surf Life Saving - Cabarita Headland

Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (f) matters affecting the security of the council, councillors, council staff or council property

C190
That Council:

1. Defers the decision on the options for the location of the Clubhouse; and
2. Initiates a precinct study.

Current Status: Brief for consultant nearing completion. Coastal Study release imminent.

5 MAY 2001

ORDERS OF THE DAY

4. Pacific Highway - Tweed Shire

Notice of Motion, R4031 Pt13, Pacific Highway

1037
Cr Boyd
Cr Lawrie

RESOLVED that a comprehensive report be provided to Council covering at least the following aspects which relate to that section of the Pacific Highway which will be reclassified within Tweed Shire when the new Motorway is completed in 2002:

1. Its total length
2. Current traffic counts and those forecast for 2005-2010
3. An assessment of the present condition of the pavement of this section so as to identify how much is in a failed or near failed condition
Schedule of Outstanding Resolutions

4. An estimate of the cost to bring the cost to bring the existing pavement up to a satisfactory standard before it becomes a Council responsibility.

5. An assessment of the cost of repairing that section of the river bank subsidence threatening the Highway near the Ampol Service Station in Murwillumbah.

6. A forecast as to the time when the section of the Highway between Murwillumbah and the 4 land section at Stotts Creek will have to be constructed to 4 lane standard.

7. An estimated cost to carry out the construction mention in (6).

8. The number and location of road deaths on this section of Highway over the past 10 years, segregated into those north of Murwillumbah and those south of Murwillumbah.

9. The identification of those sections of this road considered to be black spots such as Murnane’s Corner near Burringbar; the turn off at Burringbar to Reserve Creek; and the Railway Bridge at Greenhills.

10. Any other relevant information considered import on this issue.

Current Status: Initial meeting held with RTA, discussions continuing.

16 MAY 2001

ORDERS OF THE DAY

3. Numinbah Road - Safety Audit

Notice of Motion; Numinbah Road; R3780 Pt3

1068
Cr Marshall
Cr Youngblutt

RESOLVED that the General Manager conducts a safety audit of Numinbah Road between Crystal Creek and Chillingham and brings forward a report, including costings of any proposed works, particularly addressing issues of edge linemarking, guide post installation and advance warning signs.

Current Status: To be finalised.
Schedule of Outstanding Resolutions

6 JUNE 2001

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

2. Development Application 0257/2001DA for the Erection of an Attached Dual Occupancy at Lot 165 DP 1011335 Botanical Circuit, Banora Point (Flame Tree Park Estate)

DA0659/235 Pt1

1080 Cr Boyd Cr Luff

RESOLVED that this matter be deferred to allow the applicant to have discussions with Council Officers with a view to achieving a better design.

Current Status: Discussions held, applicants considering amended designs.

20 JUNE 2001

ORDERS OF THE DAY

1. Main Street Program - Funding Options

Notice of Motion, Wollumbin Street, Street Scaping - M'bah

1200 Cr Marshall Cr Boyd

RESOLVED that the General Manager be requested to investigate funding options with the view of preparing draft concept plans for the re-development of Wollumbin Street, Murwillumbah, under the Main Street Program.

Current Status: To be finalised.

QUESTION TIME

2. Building Approvals

Building Activity Collection- Statistics

Cr Boyd

Requested a report covering Building Approvals over the last 10 years which includes the number of buildings, their value and if possible, their classification.

The Director Environment & Community Services responded that a report will be prepared.

Current Status: Being prepared.
Schedule of Outstanding Resolutions

4 JULY 2001

REPORTS FROM SUB-COMMITTEES

1. Minutes of the Community Cultural Development Committee Meeting held Thursday 31 May 2001
   Cultural Development – Advisory Committee

3. Festivals Policy
   Cultural Development – Advisory Committee

1242
Cr Polglase
Cr Marshall
RESOLVED that Council's Cultural Advisory Committee calls a meeting of all the existing shire-wide festival organisers for a round table discussion to determine current needs and ways to initiate long-term and sustainable audience development.

   Current Status: To be finalised.

ORDERS OF THE DAY

1. Wardrop Valley Land
   Notice of Motion; PF5810/305

1257
Cr Beck
Cr Carroll
RESOLVED that a report be brought forward identifying all options considered to this point for the use of Wardrop Valley land.

   Current Status: To be finalised.

18 JULY 2001

ORDERS OF THE DAY

3. Tweed River Regional Art Gallery
   Art Gallery-Doug Moran Art Prize, Notice of Motion

11
Cr Boyd
Cr Luff
RESOLVED that Council officers bring forward a report in relation to the possibility of a short-term period to house the Doug Moran National Portrait Prize paintings in the safest and most secure section of the Murwillumbah Civic Centre building until such time as the new Art Gallery has been completed.
Schedule of Outstanding Resolutions

**Current Status:** Report being prepared.

---

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

4. Banora Point Community Centre - Community Survey  
DA1393/320 Pt1

17  
Cr Lawrie  
Cr Polglase

**RESOLVED** that:

1. Council engages a consultant to undertake a comprehensive survey of owners and residents over the age of 15 within the catchment area of the Section 94 Plan for the Community Centre at Banora Point. The purpose of the Survey is to ascertain the attitude of the community to the construction of the Banora Point Community Centre and outdoor facility. To that end, the Survey should include:
   a. material to set out the intended purpose of the Centre;
   b. questions to ascertain what use, if any would be made of the Centre and what organisations would use the centre.
   c. what alternative use(s) of the land should be considered by Council;
2. That the General Manager reports to Council for its consideration, the proposed choices of consultant.
3. A further information report be presented to Council setting out the methodology and survey questions.

**Current Status:** Brief being prepared.

---

ORDERS OF THE DAY

3a. Multi Cap Development Proposal  
DA3740/470 Pt2

34  
Cr Marshall  
Cr Youngblutt

**RESOLVED** that the General Manager be requested to bring forward a report by 15 August 2001, on the current status of the Multi Cap development proposal for Murwillumbah, initially set to commence in December 1999.

**Current Status:** Subdivision approved – report on this Agenda regarding completion of Conditions of Approval.
Reports from Director Development Services

MATTERS FOR CONSIDERATION UNDER SECTION 79(C)(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The following are the matters Council is required to take into consideration under Section 90 of the Environmental Planning and Assessment Act 1979 in assessing a development application.

MATTERS FOR CONSIDERATION

1. In determining a development application, a consent authority shall take into consideration such of the following matters as are of relevance to the development the subject of that development application:

   (a) the provisions of

      (i) any environmental planning instrument; and
      (ii) any draft environmental planning instrument that is or has been placed on exhibition and details of which have been notified to the consent authority, and
      (iii) any development control plan, and
      (iv) any matters prescribed by the regulations,

   that apply to the land to which the development application relates,

   (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts of the locality,

   (c) the suitability of the site for the development,

   (d) any submissions made in accordance with this Act or the regulations,

   (e) the public interest.
Reports from Director Development Services
Reports from Director Development Services

1. ORIGIN: Development Assessment Unit

FILE REF: DA3488/12 Pt1

REPORT TITLE:

Three (3) Lot Rural Subdivision and Demolition of an Existing Dwelling at Lot 12 & 13, DP 872773, Lot A, DP 927540 Mistral Road, South Murwillumbah

SUMMARY OF REPORT:

The applicant has sought development consent for a Staged development pursuant to Section 80(4) of the Environmental Planning and Assessment Act 1979 comprising the following stages:

Stage 1 – Boundary adjustment between 3 lots and demolition of existing dwelling; and

Stage 2 – Construction of the Art Gallery which will be subject to a separate development application.

Should Council approve this application, it will be also granting approval in principle for the construction of the Art Gallery on Lot A DP 927540 (proposed lot 15).

This development application primarily deals with Stage 1 which involves a three lot rural subdivision which comprises a boundary adjustment between three lots at Mistral Road, South Murwillumbah and the demolition of a dwelling on Lot A DP 927540. The purpose of the subdivision is to create a lot of a suitable size for the proposed Art Gallery. Of concern is the Sunnydale Piggery which is located approximately 1 kilometre away to the south east, and what impact odour may have on running and operation of the future art gallery.

The application was referred to the Environmental Protection Authority for comment and they have indicated that an Odour Impact Assessment should be prepared in accordance with the relevant guidelines.

The EPA’s comments were referred to the Consultants who prepared the application on behalf of Council, who have argued that an Odour Impact Assessment was not necessary. Their submission was again referred to the EPA for review and they confirmed their previous advice. The EPA position is supported.

RECOMMENDATION:

That Development Application 0062/2001DA for three (3) lot rural subdivision at Lot 12 & 13, DP 872773, Lot A, DP 927540 Mistral Road, South Murwillumbah be deferred until such time as an Odour Impact Assessment has been prepared and submitted to Council which demonstrates that odour from the Piggery will not adversely affect the running and operation of a future Art Gallery on proposed Lot 15. The Odour Impact Assessment is to be prepared in accordance with EPA Guidelines “Assessment and Management of Odour from Stationary Sources in NSW” and is to be submitted to Council and the EPA for Review.
Reports from Director Development Services

REPORT:

Applicant: Mr Geoff Edwards Tweed Shire Council
Owner: Lot 12 & 13, DP 872773, Lot A, DP 927540 Mistral Road, South Murwillumbah
Location: Part 1(a) Rural and Part 1(b2) Agricultural Protection

BACKGROUND

The applicant has sought development consent for a Staged development pursuant to Section 80(4) of the Environmental Planning and Assessment Act 1979 comprising the following stages:

Stage 1 – Boundary adjustment between 3 lots and demolition of existing dwelling; and

Stage 2 – Construction of the Art Gallery which will be subject to a separate development application.

Should Council approve this application, it will be also granting approval in principle for the construction of the Art Gallery on Lot A DP 927540 (proposed lot 15).

This application primarily deals with Stage 1, being a boundary adjustment between three lots to enable the creation of a suitable sized lot for the siting of the proposed Tweed Shire Art Gallery. The three lots in question are located at Mistral Road, South Murwillumbah. Surrounding land uses are dominated by agricultural activities including a Piggery.

The proposed lots to be re-subdivided are:

Lot 12 DP 872773 – Area 71.52 ha Part Zoned 1(a) Rural and 1(b2) Agricultural Protection.
Lot 13 DP 872773 – Area 13.53 ha Zoned 1(a) Rural.
Lot A DP927540 – Area 1772 m² Zoned 1(a) Rural.

The proposed subdivision will result in:

Lot A (Proposed Lot 15) increasing in size to 7600 m².
Lot 12 (Proposed Lot 16) decreasing in size to 70.98 hectares.
Lot 13 (Proposed Lot 17) decreasing in size to 13.48 hectares.

As proposed lots 15 and 17 are less than the forty hectare minimum for land zoned 1(a) rural the applicant has submitted a SEPP No. 1 Objection to support the proposal.
Reports from Director Development Services

SITE DIAGRAM
Reports from Director Development Services

PLAN OF PROPOSED SUBDIVISION OF
LOTS 12 AND 13 DP 872773 AND
LOT A DP 927540
SHIRE OF TWEED
PARISH OF CONDONG COUNTY OF ROSS

24-08-00
CONSIDERATIONS UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

(a) (i) The provisions of any environmental planning instrument

Tweed Local Environmental Plan 2000
Clause 8 – Objectives of the Zone

Comment: The proposed boundary adjustment between the three lots is on land zoned 1(a) Rural. Having regard to the future use of proposed lot 15 as the site for the Art Gallery, it is considered the proposal is consistent with the objectives of the zone and does not affect the agricultural viability of the two larger lots. An art gallery is defined as an Educational Establishment and is permissible with consent in the zone.

Clause 22 Development Near Designated Roads
Comment: The land adjoins Mistral Road and the Pacific Hwy which is a designated road. Access to the gallery site (and an existing dwelling) is via Mistral Road. No changes are proposed to the current access arrangements as a result of this proposed subdivision. With regard to Clause 22(4) access arrangements are considered satisfactory. If and when a further application is lodged for the art gallery access arrangements will be investigated further.

Clause 20 – Subdivision in Zones 1(a), 1(b), 7(d) and 7(l)
Comment: Proposed Lots 15 and 17 are less than the forty hectare minimum for land zoned 1(a) Rural, but are created from two lots which are currently less than the forty hectare minimum. The applicant has requested Council consider the proposed subdivision and the creation of the smaller lot in the context of Clause 20(3) as a special purpose subdivision. As the art gallery, which will be the subject of a separate application, is permissible with development consent in the zone, Council can therefore grant consent for the proposed subdivision.

State Environmental Planning Policy No. 1
Comment: The applicant has submitted a SEPP No. 1 Objection to the 40 hectare development standard as Proposed Lot 17 will only have an area of 13.48 hectares. It is recommended Council support the SEPP No. 1 Objection on the following grounds.

- The Parent Lot, Lot 13 DP 872773 has an area of 13.53 so that the proposed subdivision will result in a reduction in lot size of only 500 m².
- Proposal will not affect the agricultural viability of the land.
- Proposal will not impact on the ecological or scenic values of the land.
- Proposal will not create any additional dwelling entitlements.

Council can assume the Director’s Concurrence.

(a) (ii) The Provisions of any Draft Environmental Planning Instruments
Reports from Director Development Services

No draft EPI’s affect this proposal.

(a) (iii) Development Control Plans (DCP’s)

DCP 16 Subdivision Manual
Comment: Proposal is consistent with relevant provisions of the DCP. Appropriate conditions to apply.

(a) (iv) Any Matters Prescribed by the Regulations
The existing dwelling on Lot A DP 927540 is to be removed as part of the site preparations for the future Art Gallery. Appropriate Conditions of Consent are recommended for its demolition

(b) The likely impacts of the development and the environmental impacts on both the natural and built environments and social and economic impacts in the locality
Proposal will not impact on the built or natural environment nor affect the amenity or privacy of adjoining landowners. The alterations to the property boundaries will not affect the agricultural viability of the land.

(c) Suitability of the site for the development
As consent is sought for a staged development, the suitability of the site for an Art Gallery on proposed Lot 15 needs to be carefully considered. The proposed lot is located along a ridge and the gallery would have sweeping views to the south and west of the Tweed River and Valley, Mount Nullum, Mount Warning, the Caldera and Springbrook. The site would no doubt create a certain ambience which would be beneficial for an Art Gallery.

Of concern is a Piggery located approximately 1 kilometre to the south. The proposal was referred to the EPA for comment who advised that an Odour Impact Assessment was required. The applicant was advised of the EPA’s requirements in relation to odour from the piggery and it’s impact on the proposed art gallery site. The following information was provided by the applicant:

An expert odour impact assessment is not warranted on the following grounds.

1. The infrastructure at the piggery has been upgraded and the area provided for effluent disposal is located further away to the south west.
2. Effluent is only disposed of during periods of suitable weather conditions, limiting odour potential to affect surrounding properties.
3. Council has not received any complaints about the piggery over the last five years.
4. During period of adverse weather conditions odour only affect adjoining properties for short periods.
5. The future of the piggery is uncertain and it may cease operating within the next five to 10 years.
6. The proposed art gallery would be sealed and insulated for temperature control.
Reports from Director Development Services

7. The proposed gallery would be owned and operated by Tweed Shire Council which would enable the Council to receive and manage any complaints received by art gallery patrons.

8. An expensive, time consuming study as requested by the EPA, would not serve any useful purpose in light of the information to hand.

The information was returned to the EPA who have advised that they still consider that an Odour Impact Assessment is warranted. The EPA’s major area of concern being that Council should not determine this application as it may not fully comprehend the level of odour emitted from the piggery without having conducted the required technical study. The EPA also contend that should Council permit the development of a public facility such as an art gallery in the vicinity of an existing source of odour, this may lead to the closure of the Sunnydale Piggery. It is considered that this is a valid concern and raises questions in regard to the suitability of the site for an Art Gallery, or the ability to specifically design and engineer a building which can fully lock out odour with financial resources for the proposal likely to be limited by Budgetary Constraints.

The applicant was again requested to prepare and submit an Odour Impact Assessment, whereby the Applicant again via Jim Glazebrook and Associates has submitted on July 19, 2001 that an Odour Impact Assessment is not warranted and that a future meeting be organised between Council Officer, EPA Officers and the applicant to resolve the issue.

It is common knowledge that odour emitted from the Piggery affects the area known as Greenhills at South Murwillumbah during particular weather conditions from time to time. What needs to be fully clarified is how often the proposed art gallery site will be affected by Odour and to what extent. An Odour Impact Assessment would provided useful information in this regard and further ensure that should the proposal proceed the Art Gallery can be designed and constructed so that Odour will not adversely affect patrons and staff.

It is therefore recommended that Council should defer making a determination on this application until such time as an Odour Impact Assessment has been prepared and submitted to Council which demonstrates that odour from the Piggery will not adversely affect the running and operation of a future Art Gallery on proposed Lot 15. The Odour Impact Assessment is to be prepared in accordance with EPA Guidelines “Assessment and Management of Odour from Stationary Sources in NSW” and is to be submitted to Council and the EPA for Review.

(d) Any submissions made in accordance with the Act or Regulations
No submissions were made in accordance with the Act or Regulations.

(e) Public interest
The proposed development was advertised and adjoining neighbours were notified. No submissions were received. It is considered the proposed subdivision will not prejudice nor compromise the public interest. However, having consideration to the future use of proposed lot 15 for a Public Art Gallery, it would be prudent to ensure that the site is
Reports from Director Development Services

suitable for such a development being in the vicinity of a piggery, and the need for Odour Impact Assessment is recommended.

Environment and Community Services
Environment and Health Services Unit: No Objection to proposed subdivision.
Building Services Unit: No Objection to proposed subdivision.

Engineering Services
Planning and Design Unit: No Objection to development. Treatment of intersection with Mistral Road will be assessed when an application is lodged for the construction of the Art Gallery. Appropriate Conditions of Consent recommended for the subdivision.

OPTIONS
The options to Council are threefold:

1. Defer making a decision on the application until an Odour Impact Assessment has been submitted to Council and the Environmental Protection Authority to review;
2. Approve the application subject to conditions. A further report could be brought forward detailing suitable conditions.
3. Refuse the application on the grounds that the applicant has not demonstrated that the site is suitable for an Art Gallery.

LEGAL/FINANCIAL IMPLICATIONS
At this point in time the best information that the applicant can provide Council in the absence of an Odour Impact Assessment is that odour from the Piggery adversely affects adjoining properties during certain weather patterns. Should Council approve the application for subdivision of the land, and the Art Gallery proposal then proceeds without an Odour Assessment being undertaken, Council runs the risk of constructing a public facility which may not be properly designed to manage odour generated from the Piggery. Should this occur and complaints are generated from Patrons of the Gallery regarding the existing piggery, Council may then be forced to take further action against the existing piggery which may jeopardise it’s future and lead to it’s closure. This may have legal ramifications for Council.

CONCLUSION
In the absence of complete information in relation to odour from the Sunnydale Piggery and what impact this may have on the operation of the future Art Gallery, it is considered that the applicant has failed to demonstrate that the site is suitable for a public facility such as an Art Gallery. Therefore, it is recommended that Council defer making a decision of the Proposed Subdivision until such time as an Odour Impact Assessment has been prepared and submitted to Council and the EPA for review.
Reports from Director Development Services

2. ORIGIN: Strategic Town Planning Unit

FILE REF: State Environmental Planning Policy - SEPP

REPORT TITLE:

Draft State Environmental Planning Policy (SEPP) No 1 - Development Standards (Amendment No 4)

SUMMARY OF REPORT:

The Department of Urban Affairs and Planning (DUAP) currently have on public exhibition draft SEPP 1 – Development Standards. The subject document is on public exhibition until 31 August, 2001. Changes resulting from the amended document include:

- Ensuring variation of development standards are consistent with the aims and objectives of relevant environmental planning instruments;
- Subdivision within the rural zone will allow only one lot to be less than the minimum standard and that lot be at least 90% of the minimum lot size stipulated within the LEP;
- Development of new guidelines to apply SEPP 1 provisions;

The changes being proposed by draft SEPP 1 will provide Council officers with greater certainty to apply the provisions of SEPP 1 and will also provide residents with a greater certainty as to the type of development within their area.

RECOMMENDATION:

That the Department of Urban Affairs and Planning be advised that proposed changes to SEPP 1 – Development Standards are supported.
Reports from Director Development Services

REPORT:

State Environmental Planning Policy 1 (SEPP 1) Development Standards has been a valuable tool used by Council to allow flexibility when applying development standards. The Department of Urban Affairs and Planning commissioned a review of SEPP 1. As a result, DUAP is proposing to amend SEPP 1 to reflect recommendations made by these investigations. The investigations found that:

- SEPP 1 should be retained;
- Amendments are needed to make SEPP 1 more effective;
- Guidelines for the use of SEPP 1 need to be clarified and strengthened.

The changes to SEPP 1 being proposed include:

1. The purpose of SEPP 1 is to allow for a variation of development standards provided the intent and objectives of that standard are retained. An amendment being proposed to the Policy requires the applicant to demonstrate that the proposed variation is consistent with the aims and objectives of the relevant environmental planning instrument.

2. It is being proposed to amend SEPP 1 to establish rigorous standards for objections made through SEPP 1.

3. Clearer guidelines to help users apply SEPP 1 provisions. These guidelines are not being exhibited as part of current public consultation phase and will be produced at a later date.

4. It is being proposed to amend SEPP 1 to revise public notification policies to include specific consideration of applications involving objections. The guidelines proposed to be prepared later will provide Councils with guidance as to these required public notification procedures.

5. Inclusion of development control standards within DCPs. Advice to be provided in proposed guidelines.

6. Differentiation between urban and rural area provisions. It is proposed to amend SEPP 1 to include a clause restricting the use of the policy for new rural subdivisions. The clause will allow only one lot to be less than the minimum standard and that that lot be at least 90% of the minimum lot size stipulated within the LEP. This clause will also effect environmental protection and water catchment zones.

Other issues raised in the position paper circulated by DUAP included Education of SEPP 1, Monitoring of SEPP 1, Resourcing of Local Government, Advise Land and Environment Court, and differentiation between development standard and prohibition. However, these issues are not reflected directly in the proposed written SEPP 1 amendments, and are considered mainly administrative, managerial and resourcing issues that are to be progressed through other channels and through consultation through other representative organisations such as LGSA, Land and Environment Court Working Party, and Parliamentary Counsel.
Reports from Director Development Services

How the changes affect Tweed Shire Council

The two main items affecting Tweed Shire Council as a result of the proposed draft SEPP 1 are summarised below.

1. Onus on Applicant and subject to Council satisfaction

The proposed changes require proponents, intending to utilise SEPP 1 to vary a development standard, to demonstrate how the proposed variations are still consistent with the objectives and provisions of the Tweed LEP 2000.

It is understood that up until the present the proponent only needed to demonstrate that the development standard to be varied was unreasonable or unnecessary in the circumstances of the case. The proposed amendment to SEPP 1 will require the applicant to demonstrate how the proposed variation is still consistent with the objectives and provisions of the Tweed LEP 2000. The proposed changes to SEPP 1 places an additional requirement on the applicant and places greater emphasis on ensuring consistency with the provisions of the relevant planning instrument.

2. Rural Subdivision

The proposed SEPP 1 amendment allows for only a 10% relaxation of development standards relating to rural subdivisions. This is better illustrated by way of an example. Council’s present rural subdivision provisions allow for subdivision creating minimum lot sizes of 40 hectares within the Rural 1(a) Zone. With the draft SEPP 1 provisions this development standard would only allow for 1 allotment within the new subdivision to be less than the 40 hectare minimum standard. Further, this lot must be at least 90% of the minimum lot size stipulated within the LEP, requiring the lot to be created to be of at least 36 hectares.

It is understood that in the past SEPP 1 has been used to enable subdivisions creating lots of sizes considerably less than the minimum standards stipulated within the LEP. The proposed SEPP 1 amendment will not allow this to occur as the newly created lot will need to be at least 90% of the minimum lot size for that particular Rural zone.

Comment

Draft SEPP 1 (Amendment No 4) caters well for existing allotments that comply with the current subdivision minimum size provisions. However, it does not appear to cater for possible boundary adjustments of already existing under-sized lots. Although Clause 19(3) of Tweed LEP 2000 provides for minor boundary adjustments, it may be necessary to define “boundary adjustment” and the particular circumstances it can occur.

Public Notification

The proposed draft SEPP 1 document is currently on public exhibition for comment. The closing date for submissions is 31 August, 2001.
CONCLUSION

SEPP 1 permits variations to development standards in environmental planning instruments when compliance with the requirement is considered unreasonable or unnecessary in a particular case. Variations are only allowed if the objective of the standard is upheld. Each case is considered on its merits and a variation of a standard under the provisions of SEPP 1 does not undermine the continued application of that standard. Over the years the application of this document has raised concerns about the use of SEPP 1 outside its stated intent and the undermining of the objectives of different development standards.

The changes being proposed by draft SEPP 1 will provide Council officers with greater certainty to apply the provisions of SEPP 1 and will also provide residents with a greater certainty as to the type of development within their area.

The proposed changes are therefore supported.
Reports from Director Development Services

3. ORIGIN: Development Assessment Unit
   FILE REF: DA0370/75 Pt2

REPORT TITLE:

Erection of a Telecommunications Facility at Lot 7 DP 849367 Banksia Street, Tweed Heads West

SUMMARY OF REPORT:

Council considered a report for a proposed telecommunications facility on the subject land at Council meeting of 18th July 2001. Council resolved that a report be bought forward to the next Council meeting for the approval of Development Application 0290/2001DA for the proposed telecommunications facility at lot 7 DP 849367 Banksia Street Tweed Heads West. This report provides a schedule of conditions should Council wish to appraise the application.

RECOMMENDATION:

For Council’s determination.
Reports from Director Development Services

REPORT:

Applicant: Optus Mobile Pty Ltd c/ Connell Wagner
Owner: Nosworthy & Associates Pty Ltd
Location: Lot 7, DP 849367 Banksia Street, Tweed Heads West
Zoning:
Cost: $120000

Following consideration of a report at the meeting of 18th July 2001 relating to a proposed telecommunications facility on the above property, Council resolved:

“..... that a report be bought forward to the next Council meeting for approval of Development Application 0290/2001DA for the proposed telecommunications facility at Lot 7 DP 849367 Banksia Street tweed Heads West.”

A copy of the report to the meeting of 18 July 2001 is attached for the information of Councillors.

Should Council be of a view to approve the proposed erection of a telecommunications facility at Lot 7, DP 849367 Banksia Street, Tweed Heads West the following conditions should be applied:

General

1. The development shall be completed in general accordance with Plans Nos B759F Fig 2, Fig 3 prepared by Connell Wagner and dated 30 March 2001, except where varied by these conditions.

2. Other than that part referred to in Condition 3, the tower shall be painted in a blue / grey colour, the details of which are to be submitted to Council for approval by the Director Development Services prior to the commencement of construction.

3. The top six metres of the tower shall be hazard marked in one metre red and white bands with the top colour being red. The tower is also to have a low intensity hazard light due to the location being within the circuit pattern for Coolangattta Airport.

4. The tower shall not exceed 30metres in height. Any development or crane activities related to the construction of this facility must be notified to Gold Coast Airport Limited with at least 28 days notice.

5. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.

6. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to any use or occupation of the buildings.

7. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction.
Reports from Director Development Services

8. Building materials used in the construction of the building are not to be deposited or stored on Council’s footpath or road reserve, unless prior approval is obtained from Council.

9. In the event that Council is not utilised as the inspection/Certifying authority, within seven (7) days of building works commencing on the site a Compliance Certificate in the prescribed form is to be submitted to Council together with the prescribed fee, by the nominated principal certifying authority to certify the following:

i. All conditions of consent required to be complied with prior to work commencing on the site have been satisfied.

ii. That the licensee has complied with the provisions of Section 98(1)(b) of the Environmental Planning and Assessment Amendment Regulations 2000.

10. In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.

Prescribed Building

11. A temporary builder’s toilet is to be provided prior to commencement of work at the rate of one (1) closet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided must be:

(a) a standard flushing toilet connected to a public sewer, or

(b) if that is not practicable, an accredited sewage management facility approved by the council, or

(c) if that is not practicable, any other sewage management facility approved by the council.

12. A sign must be erected on the site in a prominent, visible position stating:

a. that unauthorised entry to the work site is prohibited; and

b. showing the name of the builder, or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.

13. It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied.

14. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of
Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).

15. The erection of a building in accordance with a development consent must not be commenced until:
   a. detailed plans and specifications of the building have been endorsed with a construction certificate by:
      (i) the consent authority; or
      (ii) an accredited certifier; and
   b. the person having the benefit of the development consent:
      (i) has appointed a Principal Certifying Authority; and
      (ii) has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and
   c. the person having the benefit of the development consent has given at least 2 days notice to the Council of the person’s intention to commence the erection of the building.

16. A person must not commence occupation or use of the whole or any part of a new building (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units)

17. Prior to work commencing, a “Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority” shall be submitted to Council at least 2 days prior to work commencing.

**Engineering Building**

18. The footings are to be designed by a practising Structural Engineer after consideration of a soil report from an accredited soil testing laboratory and shall be submitted to and approved by the Principal Certifying Authority prior to the commencement of building work.

19. Prior to the commencement of building work, a certificate signed by a registered professional engineer is to be submitted to the Principal Certifying Authority to certify that adequate consolidation of foundation material has been achieved to support the proposed structure.

20. On completion of work a certificate signed by a practising structural engineer is to be submitted to the PCA to certify the structural adequacy of the structure.

**Drainage Flooding**
Reports from Director Development Services

21. All roof waters are to be disposed of through properly jointed pipes to the street gutter, interallotment drainage or to the satisfaction of the Principal Certifying Authority. All PVC pipes to have adequate cover and installed in accordance with the provisions of AS/NZS3500.3.2-1998. **Note** All roof water must be connected to an interallotment drainage system where available. A detailed stormwater and drainage plan is to be submitted to and approved by the PCA prior to commencement of building works.

22. Building materials used below Council's minimum floor level of RL 2.95m AHD must not be susceptible to water damage.

23. Subject to the requirements of Northpower, all electrical wiring, power outlets, switches, etc, should, to the maximum extent possible be located above the design flood level. All electrical wiring installed below the design flood level should be suitably treated to withstand continuous submergence in water.

Services

24. Sewer main within site is to be accurately located and the Principal Certifying Authority advised of its location and depth prior to start of any building works.

25. The building is to be sited at least one metre horizontally clear of sewer main on site. All footings and slabs within the area of influence of the sewer main are to be designed by a practising Structural Engineer. The engineer is to submit a certification to the Principal Certifying Authority that the design of such footings and slabs will ensure that all building loads will be transferred to the foundation material and will not effect or be affected by the sewer main.

Environment Protection

26. All work associated with this approval is to be carried out so as not to cause a nuisance to residents in the locality from noise, water or air pollution.

27. Investigations into the presence of acid sulfate soil material is required at the commencement of construction activity to ensure appropriate remedial measures are adopted.

28. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, fumes or the like.

29. The burning off of trees and associated vegetation felled by clearing operations is not permitted unless such burning is carried out in a specially constructed pit provided with an air curtain over the top. Separate approval is required prior to any burning.

30. Construction site work including the entering and leaving of vehicles is to be restricted to between 7.00 am and 7.00 pm Monday to Saturday and no work on Sundays.

31. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:
Reports from Director Development Services

A. Short Term Period - 4 weeks.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

B. Long term period - the duration.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

32. All activities associated with the occupancy of the building are to comply with the Protection of the Environment Operations Act, 1997.

33. Prior to commencement of works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.

Erosion and sediment control shall be in accordance with the “Tweed Urban Stormwater Quality Management Plan” (adopted by Council 19 April 2000) section 5.5.2 “Stormwater Objectives During the Construction Phase of New Development”. This section requires all new development to comply with Appendix E of the Plan “Tweed Shire Council Aus-Spec D7 - Stormwater Quality” and its Annexure A - “Code of Practice for Soil and Water Management on Construction Works”. Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond has been released.

34. The installation and electro magnetic emissions from the entire facility are to comply at all times with the provisions of AS2772 and AS/NZS 2272.1 (Int) 1998.

35. Council is to be provided with a report from an appropriately qualified person confirming that the radiation levels from the facility comply with AS/NZS 2272.1 (Int) 1998 on completion of the installation.

36. Up-grading of the facility is not to occur without the prior consent of the Tweed Shire Council and/or other relevant authorities.

37. The site is to be restored to its original condition should de-commissioning of the installation occur.

Plumbing drainage

38. Council’s sewer main may traverse the south eastern corner of the subject site and therefore care should be taken during construction or earthworks.
Reports from Director Development Services

4. ORIGIN: Development Assessment Unit

FILE REF: PF3300/25 Pt3

REPORT TITLE:

Section 96 Application No. 0059/2001S96 to Modify Development Consent No. 96/519 for an Integrated Tourist Resort at Lot 5 DP 822786, Lot 31 DP 850230 and Lot 2 DP 867486 Cobaki Road and Marana Street, Bilambil Heights

SUMMARY OF REPORT:

Development Consent 96/519 was issued on 7 July 1997 for the establishment of an integrated tourist resort on the site of the former Terranora Lakes Country Club and the adjoining cattle grazing property known as the "Norvill Property". The land totals approximately 190 hectares in area and is described as Lot 5 DP 822786, Lot 31 DP 850230 and Lot 2 DP 867486, Cobaki Road and Marana Street, Bilambil Heights.

A report was considered by Council at its meeting on Wednesday 27 June 2001 regarding whether the consent had lapsed on 7 July 2000.

Council resolved that Development Consent 96/519 has commenced and remains in force (on the basis of legal advice provided by the applicant) and that the subject Section 96 application be dealt with as a matter of urgency.

The subject Section 96 application proposes changes to the configuration and scale of the early stages of the development and a revised staging program.

The application was advertised and six (6) submissions were received.

It is considered that the proposed modifications sought will not result in significant adverse impacts on the existing natural or built environment and given Council’s previous decision regarding commencement the subject application is suitable for approval.

RECOMMENDATION:

That Section 96 application 0059/2001S96 to modify Development Consent 96/519 for an integrated tourist resort at Lot 5 DP 822786, Lot 31 DP 850230 Marana Street and Part Lot 5 DP 789875 Cobaki Road, Bilambil Heights, be approved by amending the conditions as follows:-

Condition 1:

1. The development shall be completed in general accordance with the Statement of Environmental Effects - Volume 1 and attachments A-M and “Addendum Report” prepared by Heilbron and Partners Pty Ltd and dated 18 December 1996 and 30 April 1997 respectively, except where varied by the following plans prepared by King Design Service and conditions.
Reports from Director Development Services

<table>
<thead>
<tr>
<th>Plan No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>0015-M-1A</td>
<td>10/04/01</td>
</tr>
<tr>
<td>0015-S-1B</td>
<td>14/03/01</td>
</tr>
<tr>
<td>0015-S-2</td>
<td>9/05/01</td>
</tr>
<tr>
<td>0015-S-3</td>
<td>10/04/01</td>
</tr>
<tr>
<td>0015-S-4</td>
<td>10/04/01</td>
</tr>
<tr>
<td>0015-S-5</td>
<td>10/04/01</td>
</tr>
<tr>
<td>0015-S-6</td>
<td>10/04/01</td>
</tr>
<tr>
<td>0015-S-7</td>
<td>10/04/01</td>
</tr>
<tr>
<td>0015-S-8B</td>
<td>11/04/01</td>
</tr>
<tr>
<td>0015-S-9</td>
<td>9/05/01</td>
</tr>
<tr>
<td>0015-S-10</td>
<td>9/05/01</td>
</tr>
</tbody>
</table>

Condition 2:

2. The development to be staged in accordance with the Statement of Environmental Effects prepared by Jim Glazebrook & Associates dated May 2001 and the revised staging plan dated May 2001, except as varied as follows.

a) In accordance with Council’s standard policy requirement, the linen plan of subdivision will not be released until such time as reticulated water and sewer services are available to each lot within the subdivision.

(Note: Reticulation of sewer shall be in accordance with Condition 40).

b) All construction traffic to utilise Cobaki Road/ Grevillea Road access from commencement of Stage 3 until completion of Stage 7 unless otherwise specifically authorised by Council. This may necessitate construction of the Cobaki Road Access at Stage 3 or alternatively, a temporary road of a suitable standard may be constructed over the approved “spine road” alignment. Details to be submitted to and approved by the Director Development Services prior to the commencement of any works for Stage 3.

c) Council may accept effluent disposal by septic or other approved method for the Golf Clubhouse in Stage 1 as an interim measure. In the event that Stage 2 of the development does not proceed within three (3) years from the date of occupation of Stage 1, Council may direct that the Golf Clubhouse be connected to Council’s reticulated Sewerage System, and applicable headworks charges to be paid.

d) Initial plantings to screen the proposed village square/convention centre are to be undertaken prior to any use or occupation of the proposed permanent golf clubhouse (Stage 3) or linen release, whichever occurs earlier. Details to be submitted with the plans required by Condition 9.

Condition 32:

32. Submission of an application for the subdivision of land under Part 12 of the Local Government Act, 1919, including:
Reports from Director Development Services

i. The final plan and seven (7) copies together with any applicable Section 88B Instrument, accompanied by linen fees of $118/lot, ie. 17 lots @ $118/lot = $2006.

ii. A detailed development statement in accordance with the requirements of the Community Land Development Act. The Development Statement shall make provision inter alia for the following:-

a) responsibilities and financial liabilities for the on-going management and maintenance of all internal infrastructure and utilities;

b) responsibilities and financial liabilities for the on-going management and maintenance of the proposed Environmental Centre, remnant rainforest areas, rehabilitation revegetation programs, bushfire management and the Environmental Audit required by Condition No 68(ii);

c) requirements re-inforcing upon lot holders including future strata lot holders, the requirements of Condition No 63 in relation to staff employment contracts;

d) restrictions re-inforcing upon lot holders, including subsequent strata lot holders, the requirements of Condition No 69 in relation to the length of stay in the proposed tourist accommodation units;

e) ensuring that the development operates as an integrated “tourist resort”, with each lot holder primarily providing goods or services or carrying out functions for other lot holders;

f) secures public access to services and facilities such as the Convention facilities, Golf Course, Environmental Centre, walking tracks and Arts and Crafts facilities.

Condition 45:

45. Demolition of the existing Terranora Lakes Country Club prior to the linen release for Stage 1 or any use or occupation of Stage 1.

Condition 46:

46. The existing Terranora Lakes Country Club Sewage Treatment Plant is to be decommissioned to the satisfaction of the Director Environment and Community Services, prior to any use or occupation of the Stage 3 buildings or linen release for Stage 3, whichever occurs first.

Condition 53:

53. A certificate of compliance (CC) under Part 3 Division 2 of the Water Supply Authorities Act 1987 is to be obtained to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Council before
approved building plans are released for each stage. Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Stage 1
Water - $243,533
Sewer – $203,895

Stage 2
Water: $76,954
Sewer: $64,429

Stage 3
Water: $126,720
Sewer: $106,095

Stage 4
Water: $734,950
Sewer: $615,329

Stage 5
Water: $182,477
Sewer: $152,777

Stage 6
Water: $64,126
Sewer: $53,691

Stage 7
Water: $50,688
Sewer: $42,438

NOTE: If sewerage reticulation to all lots is provided by way of an approved on site sewerage treatment facility (see condition 40) sewer headworks contributions will not apply. Should stages 1 and 2 be connected to Council’s reticulated sewerage system at Stage 3, then the charges for sewer will be required to be paid/
Reports from Director Development Services

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

**Condition 54:**

54. (i) Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Clause 79H of the Environmental Planning and Assessment Regulations, 1994, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council’s “Contribution Sheet” signed by an authorised officer of Council.

Pursuant to Section 109J of the Environmental Planning and Assessment Act, 1979 a Subdivision Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council’s “Contribution Sheet” signed by an authorised officer of Council.

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

<table>
<thead>
<tr>
<th>Stage</th>
<th>TRCP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 1</td>
<td>$185,278.80</td>
</tr>
<tr>
<td>Stage 2</td>
<td>$71,001.00</td>
</tr>
<tr>
<td>Stage 3</td>
<td>$186,631.20</td>
</tr>
<tr>
<td>Stage 4</td>
<td>$248,697.75</td>
</tr>
<tr>
<td>Stage 5</td>
<td>$344,652.00</td>
</tr>
<tr>
<td>Stage 6</td>
<td>$95,562.60</td>
</tr>
<tr>
<td>Stage 7</td>
<td>$95,562.60</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,227,384.75</td>
</tr>
</tbody>
</table>
Reports from Director Development Services

NOTE: It should be noted that the contributions for stages 4 to 7 may need to be reviewed at a later date based on more detailed data from the applicant, however, the calculated amounts are considered adequate for the application noting that the total number of vehicle trips generated if 2660vpd is the basis for the total amount payable.

Condition 56:

56. Design and construction of a roundabout at the intersection of Gollan Drive/Inlet Drive/Piggabeen Road. Detailed design plans are to be submitted to and approved by the Director Engineering Services prior to construction.

The roundabout is a scheduled project (item 34) of the TRDS and a “credit value” will be determined after consideration of tender prices received for the project to a maximum value of $321,555. Construction of the roundabout is to be completed prior to any use of occupation of Stage 4.

Condition 57:

57. Access to the site via Cobaki Road is to be off Grevillea Road only. A roundabout is to be designed and constructed at the intersection of Cobaki/Robinson/Grevillea Roads in accordance with detailed design plans submitted to and approved by the Director Engineering Services prior to construction. Construction to be completed prior to any use or occupation of Stage 4.

Condition 58:

58. Construction of two (2) traffic control devices on Marana Street. The location and detailed design of the devices to be submitted to and approved by the Director Engineering Services prior to construction. Construction to be completed prior to any use or occupation of Stage 1.

Condition 59:

59. A “reduce speed” sign (Marana Street) and intersection warning and directional signage are to be installed (by the developer) at the Marana Street/McAllisters Road intersection. Details to be submitted to and approved by the Director Engineering Services prior to installation. Installation to occur prior to any use or occupation of Stage 1.

Condition 60:

60. Provision of additional “reduce speed” signs and intersection warning and directional signs at the Scenic Drive/McAllisters Road intersection. Details to be provided with the details required in Condition 59. Installation to occur prior to any use or occupation of Stage 1.
Reports from Director Development Services

Condition 61:

61. Construction of a cul-de-sac turning area at the end of Marana Street adjacent to the site, and dedication of any land required as a public road. The cul-de-sac is to be of sufficient size for a standard 14.0 metre bus to turn in.

Detailed design plans are to be submitted to and approved by the Director Engineering Services prior to construction. Construction to be completed prior to any use or occupation of Stage 1.

Condition 64:

64. Cobaki and Piggabeen Roads are to be upgraded between the Cobaki Parkway intersection and the site access providing a 7.0m seal on a 9.0m formation, including pavement rehabilitation and noise reducing open graded AC. Pavement rehabilitation with open graded AC to also be undertaken between Anconia Street and Carramar Drive. Detailed plans are to be submitted to and approved by the Director of Engineering Services prior to construction. Construction to be completed prior to any use or occupation of Stage 4.

Condition 68 to be deleted.

Condition 73 to be deleted.

Additional Conditions:

72. The commencement of Stage 4 of the development is prohibited until the Cobaki Parkway and its connection to Piggabeen Road and the Tugun bypass has been constructed.

73. Prior to the issue of the first occupation certificate in respect of Stage 2, a temporary water reservoir with a capacity of at least 50,000 litres is to be commissioned by the applicant. The reservoir shall be privately owned, operated and maintained.

Detailed engineering plans of the reservoir and proposed connections to Council’s reticulated supply are to submitted to and approved by the Director Engineering Services, prior to the commencement of Stage 2.

The applicant shall decommission the reservoir upon Council commissioning a new reservoir of sufficient capacity to accommodate the development.

74. A separate approval shall be sought and issued under the provisions of the Protection of the Environment Operations Act for the operation of the PASVEER 1000 Plant and irrigation of treated effluent to the Golf Course.

75. All up-grading works as considered necessary to ensure the effluent operation of the PASVEER 1000 Sewage Treatment Plant are to be completed and a report is to be submitted to Council from an appropriately qualified person advising that such Plant is
Reports from Director Development Services

operating to the extent necessary to satisfactorily treat effluent from revised stages 1 and 2 of the Development.

76. The Sewage Treatment Plant is to be operated in accordance with a plan of management submitted to and approved by Council’s Director Environment and Community Services prior to any occupation or use of Stage 1 of the development.

77. All food handling areas where food is prepared for sale are to be constructed to comply with Council’s requirements in accordance with the provisions of the Food Act, 1989 and Regulations.

78. Any premises used for the storage, preparation or sale of food are to comply with the relevant provisions of the Food Act, 1989 and Council’s adopted Code for the construction of Food Premises. Details of fittings and equipment are to be submitted to the Principal Certifying Authority prior to installation.

79. Prior to the commencement of work the Principal Certifying Authority is to be provided with and approve details of the kitchen exhaust system. Such details are to include the location of discharge to the air, capture velocity, size of hood and angle of filters. The system shall comply with Australian Standards SAA 1668 Part 2 Ventilation Requirements.

80. All walls in the food preparation and food storage areas shall be of solid construction, easily washable, lightly coloured and tiled to a height of at least 2 metres above floor level, or where not tiled, cement rendered to provide a smooth even finish to ceiling. Note: Stud framed walls will not be acceptable. Intersections of all floors with walls shall be covered to a radius of not less than 25 millimetres.

81. All flooring materials in the food preparation and storage areas are to be impervious, non slip, non abrasive and capable of withstanding heavy duty operation. Where tiling is to be used epoxy grout finished flush with the floor surface is to be used in joints or alternatively all tiles are to be butt joined and free of cracks or crevices.

82. Shop fitters are to liaise with the Principal Certifying Authority prior to fitting out of shop.

83. Windows and doors opening into food preparation and storage areas are to be fully screened in accordance with Council's adopted code for the construction of food premises.
Reports from Director Development Services

REPORT:

Development Consent 96/519 was issued on 7 July 1997 for the establishment of an integrated tourist resort on the site of the former Terranora Lakes Country Club and the adjoining cattle grazing property known as the "Norvill Property". The land total approximately 190 hectares in area and is described as Lot 5 DP 822786, Lot 31 DP 850230 and Lot 2 DP 867486 Cobaki Road and Marana Street, Bilambil Heights.

The proposed development was approved to be constructed in seven (7) stages. The key features of the proposal including:-

- serviced tourist accommodation (940 units – comprising:-
  - 400 hotel units; and
  - 540 holiday apartments)
- 27 hole championship golf course
- conference centre
- village square shopping centre
- tennis complex
- creative arts and crafts centre
- environmental education centre
- sports and spa centre

A Section 96 application to modify the development consent was lodged on 11 May 2001.

A report was considered by Council at its meeting on Wednesday 27 June 2001 regarding whether the consent had lapsed on 7 July 2000.

Council resolved that Development Consent 96/519 has commenced and remains in force.

The subject Section 96 application proposes changes to the configuration and scale of the early stages of the development and a revised staging program.

The proposed modifications sought can be summarised as follows:

- Relocation of the proposed sports and spa centre to the north, to a new three (3) storey hotel building on the site of the existing Terranora Lakes Country Club (TLCC) building.
- Deletion of approved accommodation buildings in the vicinity of the existing TLCC building and incorporation of seventy four (74) units within the new hotel building.
- Redesign of accommodation buildings north of the existing TLCC (approved Stage 3).
Reports from Director Development Services

- Total number of units in revised Stages 1 and 2 (previously Stages 1-3) reduced from 172 to 112.
- New lawn tennis courts and pools located between the new hotel building and revised Stage 2 villas.
- Redesign of vehicular entrance via Marana Street, primarily retaining the existing configuration.
- Deletion of underground car park and construction of parking at grade.
- Relocation of temporary Golf Club house and sales office from north of Marana Street adjacent to 14th tee box, to an area adjacent to the 1st tee box.
- Retention of existing golf course, but minor modifications to greens, fairways and tee boxes affected by proposed buildings.
- Retention of the existing on-site sewage treatment plant to service Stages 1 and 2.
- Consequential changes to the community title plans. The balance of the development remains unchanged, including the number of units and the location of buildings and facilities.
- Stages 4-7 not to proceed until Cobaki Parkway completed and opened.
- Consequential amendments to various conditions.

The proposed new hotel building will replace the approved sports and spa facility as well as a number of accommodation buildings. The proposed new hotel building is approximately 1.5 metres greater in height than the existing Terranora Lakes Country Club building (not including the proposed turrets). The proposed accommodation buildings are part one (1) and two (2) storey villa buildings and replace the approved two (2) storey unit blocks approved in the initial development application.

The approved staging scheme incorporates seven (7) stages. The proposed amended staging scheme also comprises seven (7) stages however it also provides for stages one (1) and two (2) to be further staged into a total of thirteen (13) stages.

The Statement of Environmental Effects submitted with the development application contains a table which provides a comparison of the approved staging scheme with the proposed new staging scheme.
## Reports from Director Development Services

<table>
<thead>
<tr>
<th>APPROVED STAGES</th>
<th>REVISED STAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Stage 1</strong></td>
<td><strong>Stage 1</strong></td>
</tr>
<tr>
<td>• Golf Course Holes 1-18</td>
<td></td>
</tr>
<tr>
<td>• Club House</td>
<td></td>
</tr>
<tr>
<td>• Spine Road for Access</td>
<td></td>
</tr>
<tr>
<td>• Sewer pump out or septic</td>
<td></td>
</tr>
<tr>
<td>• Community title subdivision to create community scheme</td>
<td></td>
</tr>
<tr>
<td>• Temporary Golf Club House/Pro shop at Marana Street</td>
<td></td>
</tr>
<tr>
<td>• Temporary Carpark at entry to site at</td>
<td></td>
</tr>
<tr>
<td>• Use existing golf course-minor reconfiguration of some greens, fairways and tee boxes</td>
<td></td>
</tr>
<tr>
<td>• Upgrade existing sewer treatment plant</td>
<td></td>
</tr>
<tr>
<td>• Community title subdivision to create Community Scheme</td>
<td></td>
</tr>
<tr>
<td>• Temporary Golf Club House/Pro Shop at Marana Street</td>
<td></td>
</tr>
<tr>
<td>• Temporary carpark at entry to site at Marana Street</td>
<td></td>
</tr>
<tr>
<td>• Hotel building comprising sports and spa facility, 74 hotel units and pools</td>
<td></td>
</tr>
<tr>
<td>• Demolition of existing TLCC building</td>
<td></td>
</tr>
<tr>
<td>• 3 lawn tennis courts</td>
<td></td>
</tr>
<tr>
<td><strong>Stage 2</strong></td>
<td><strong>Stage 2</strong></td>
</tr>
<tr>
<td>• Sport &amp; Spa Facility</td>
<td></td>
</tr>
<tr>
<td>• Carpark Facility (underground) at Marana Street entry</td>
<td></td>
</tr>
<tr>
<td>• 17 President Buildings – 136 units – 2 bedroom</td>
<td></td>
</tr>
<tr>
<td>• 9 Ambassador Units – 36 units – 3 bedroom</td>
<td></td>
</tr>
<tr>
<td>• total 172 units</td>
<td></td>
</tr>
<tr>
<td>• extension of Reservoir</td>
<td></td>
</tr>
<tr>
<td>• use of existing tennis courts</td>
<td></td>
</tr>
<tr>
<td>• construction of new on site sewerage treatment plan</td>
<td></td>
</tr>
<tr>
<td>• temporary carpark to be maintained at Marana Street to supplement undercover facility until completion of Stage 4</td>
<td></td>
</tr>
<tr>
<td>• 38 units – 3 &amp; 4 bedroom villas</td>
<td></td>
</tr>
<tr>
<td>• Associated facilities including pool and lounge area</td>
<td></td>
</tr>
<tr>
<td>• Minor reconfiguration of golf course – some greens, fairways and tee boxes</td>
<td></td>
</tr>
<tr>
<td>• Extension of water reservoir</td>
<td></td>
</tr>
<tr>
<td><strong>Stage 3</strong></td>
<td><strong>Stage 3</strong></td>
</tr>
<tr>
<td>• 8 Residence buildings – 16 units – 4 bedroom</td>
<td></td>
</tr>
<tr>
<td>• 6 Ambassador buildings – 24 units – 3 bedroom</td>
<td></td>
</tr>
<tr>
<td>• Associated facilities including pool and lounge area</td>
<td></td>
</tr>
<tr>
<td>• New golf holes 1 - 18</td>
<td></td>
</tr>
<tr>
<td>• Construct new sewer treatment plant and decommission existing STP</td>
<td></td>
</tr>
<tr>
<td>• Balance of tennis courts</td>
<td></td>
</tr>
<tr>
<td>• Golf Club House</td>
<td></td>
</tr>
</tbody>
</table>
Reports from Director Development Services

<table>
<thead>
<tr>
<th>APPROVED STAGES</th>
<th>REVISED STAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>• total 40 units</td>
<td>• Spine Road for Access</td>
</tr>
<tr>
<td></td>
<td>• 11 President buildings – 88 units – 2 bedroom</td>
</tr>
<tr>
<td></td>
<td>• 2 Ambassador buildings – 8 units – 3 bedroom</td>
</tr>
<tr>
<td></td>
<td>• 4 Residence – 4 units – 4 bedroom</td>
</tr>
<tr>
<td></td>
<td>• Total 100 units</td>
</tr>
<tr>
<td></td>
<td># NOTE: Stages 4 – 7 not to proceed until completion of Cobaki Parkway.</td>
</tr>
</tbody>
</table>

Stage 4
- Golf holes 19 - 27
- Village Square, Restaurants, Convention Centre
- 400 hotel units
- Reception & main carpark facility
- Back of house
- Permanent access from Cobaki Road
- 13 President buildings – 104 units – 2 bedroom
- Childrens play area
- Arts and craft centre
- Environmental Centre and first walking tracks

Stage 4
- Golf holes 19 - 27
- Village Square, Restaurants, Convention Centre
- 400 hotel units
- Reception & main carpark facility
- Back of house
- Permanent access from Cobaki Road
- 13 President buildings – 104 units – 2 bedroom
- Childrens play area
- Arts and craft centre
- Environmental Centre and first walking tracks

Stage 5
- 18 President buildings – 144 units – 2 bedroom
- Balance of tennis courts

Stage 5
- 18 President buildings – 144 units – 2 bedroom

Stage 6
- 5 President buildings – 40 units – 2 bedroom
- Golf academy
- Driving range

Stage 6
- 5 President buildings – 40 units – 2 bedroom
- Golf academy
- Driving range

Stage 7
- 5 President buildings – 40 units – 2 bedroom
- Golf academy

Stage 7
- 5 President buildings – 40 units – 2 bedroom
Reports from Director Development Services

<table>
<thead>
<tr>
<th>APPROVED STAGES</th>
<th>REVISED STAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Driving range</td>
<td>• Golf academy</td>
</tr>
<tr>
<td></td>
<td>• Driving range</td>
</tr>
</tbody>
</table>

The proposed amendments will also require amendments to the Community Title Subdivision Plan in terms of the lot configuration.

The revised staging scheme and amendments to the development will require the following modifications to the conditions of consent:

- Condition 1 – nominates the approved plans and Condition 2 nominates the approved staging plans. It is proposed to amend these conditions to reference the revised plans and staging scheme.

**Comment:** This amendment is supported and will reflect revised development and staging plans.

- Condition 2(b)

  2(b) All construction traffic to utilise Cobaki Road/Grevillia Road access from commencement of Stage 2 until completion of Stage 7 unless otherwise specifically authorised by Council. This may necessitate construction of the Cobaki Road Access at Stage 2 or alternatively, a temporary road of a suitable standard may be constructed over the approved “spine road” alignment. Details to be submitted to and approved by the Director Development Services prior to the commencement of any works for Stage 2.

**Comment:** The use of Marana Street by construction vehicles was restricted to Stage 1 of the original proposal. While Council’s Environment & Health Services Unit has indicated that additional noise impacts on residents of Marana Street and McAllisters Road will result from the proposed amendment, conditions 18 and 19 of the consent contain controls regarding construction vehicles. This amendment is considered acceptable.

- Condition 2(c)

  2(c) Council may accept effluent disposal by septic or other approved method for the Golf Clubhouse in Stage 1 as an interim measure. In the event that Stage 2 of the development does not proceed within three (3) years from the date of occupation of Stage 1, Council may direct that the Golf Clubhouse be connected to Council’s reticulated Sewerage System, and applicable headworks charges to be paid.

  It is proposed to amend this condition to permit revised Stages 1 & 2 discharge effluent to the existing on site treatment plant which is proposed to be upgraded.

**Comment:** Council’s Environment and Health Services Unit has provided comment and concluded that this amendment is acceptable subject to the imposition of conditions.
Reports from Director Development Services

- Condition 2(d)

2(d) Initial plantings to screen the proposed village square/convention centre are to be undertaken prior to any use or occupation of the proposed permanent golf clubhouse (Stage 1) or linen release, whichever occurs earlier. Details to be submitted with the plans required by Condition 9.

It is proposed to amend this condition to require the screen plantings to be undertaken prior to the release of Stage 3.

Comment: The permanent golf clubhouse is proposed to be constructed as part of Stage 3 and the amendment is therefore considered acceptable.

- Condition 32(ii)(f)

32. Submission of an application for the subdivision of land under Part 12 of the Local Government Act, 1919, including:

ii. A detailed development statement in accordance with the requirements of the Community Land Development Act. The Development Statement shall make provision inter alia for the following:-

f) secures public access to services and facilities such as the Sports Centre, Convention facilities, Golf Course, Environmental Centre, walking tracks and Arts and Crafts facilities.

It is proposed to amend this condition by deleting the reference to the Sports Centre to reflect its relocation to the hotel building and its deletion as a separate entity.

Comment: The sports facilities will be contained within the hotel building and this proposed amendment is therefore considered acceptable.

- Condition 45

45. Demolition of the existing Terranora Lakes Country Club prior to any use or occupation of the Golf Club House or linen release for Stage 1 whichever occurs first.

It is proposed to modify this condition to require demolition of the existing building prior to any use or occupation of Stage 1.

Comment: The demolition of the TLCC forms part of the revised Stage 1 and it is considered satisfactory to amend this condition to require demolition prior to the use or occupation of Stage 1 which includes the Temporary Golf Clubhouse/Pro Shop.

- Condition 46

46. The existing Terranora Lakes Country club Sewage Treatment Plant is to be decommissioned to the satisfaction of the Director Environment and Community Services, prior to any use or occupation of the Stage 1 buildings or linen release for Stage 1, whichever occurs first.
Reports from Director Development Services

It is proposed to amend this condition to permit use of the existing sewage treatment plant (which will be upgraded) in association with the modified Stages 1 and 2.

**Comment:** This amendment is satisfactory subject to conditions as recommended by Council’s Environment & Health Services Unit.

- Condition 53 – details the water and sewer contributions for each of the approved stages. It is proposed to amend this condition to reflect the revised staging scheme.

**Comment:** This condition requires amendment to reflect the modified development and the staging of contributions is appropriate.

- Condition 54

54. Pursuant to Section 94 Plan No 4 – Tweed Road Development Strategy, the applicant shall pay a contribution towards the provision and upgrading of distributor roads of $1.256 million.

The contribution shall be paid prior to any works and/or development commencing on site pursuant to this consent.

Council will accept payment of the $1.256 million contribution as follows:-

- $400,000 in cash prior to any works and/or development commencing on site pursuant to this consent;
- lodging of 3 unconditional and irrevocable Bank Guarantees for, ie. Two at $300,000 and one at $256,000 prior to any works and/or development commencing on-site pursuant to the consent;
- Council will be entitled to “call-up” the Bank Guarantees in three (3) equal instalments and in any case the whole $1.256 million shall be paid to Council within 2 years of the date on which the consent is issued.

It is proposed to delete this condition and replace it with staged payment of the contributions. The Statement of Environmental Effects accompanying the application provides the following argument in support of the proposed amendment.

“The revised staging proposals would result in a significant volume of traffic capacity becoming available in Kennedy Drive, thereby overcoming the short term need to find an alternative distributor road.

Furthermore, the Council’s proposed alternative distributor road at Lakes Drive has been deferred indefinitely. There would no longer appear to be any valid basis for Council to require the “up front” payment currently required by Condition 54.”
Reports from Director Development Services

Comment: The proposed deletion of this condition and replacement with Staged Contributions is considered acceptable as detailed in the comments by Council’s Traffic Engineer provided later in this report.

- Conditions 56 & 57

56. Design and construction of a roundabout at the intersection of Gollan Drive/Inlet Drive/Piggabeen Road. Detailed designed plans are to be submitted to and approved by the Director Engineering Services prior to construction.

The roundabout is a scheduled project (item 34) of the TRDS and a “credit value” will be determined after consideration of tender prices received for the project to a maximum value of $321,555. Construction of the roundabout is to be completed prior to any use of occupation of Stage 2.

57. Access to the site via Cobaki Road is to be off Grevillia Road only. A roundabout is to be designed and constructed at the intersection of Cobaki/Robinson/Grevillia Roads in accordance with detailed design plans submitted to and approved by the Director Engineering Services prior to construction. Construction to be completed prior to any use or occupation of Stage 2.

It is proposed to amend these conditions to require the works to be undertaken by the completion of Stage 4. The Statement of Environmental Effects submitted argues that proposed modifications to road access and staging arrangements overcome the need for these works during the initial stages of the development.

Comment: Given the revised staging scheme these amendments are supported.

- Conditions 58 to 61 regarding required roadworks are also required to be amended to refer to completion prior to the use or occupation of Stage 1. At present they refer to the use or occupation of the permanent golf clubhouse or Stage 1 and as the clubhouse is now proposed for Stage 3 the reference to it should be deleted.

Comment: This amendment was identified by Council officers.

- Condition 64

64. Cobaki and Piggabeen Roads are to be upgraded between the Cobaki Parkway intersection and the site access providing a 7.0m seal on a 9.0m formation, including pavement rehabilitation and noise reducing open graded AC. Pavement rehabilitation with open graded AC to also be undertaken between Anconia Street and Carramar Drive. Detailed plans are to be submitted to and approved by the Director of Engineering Services prior to construction. Construction to be completed prior to any use or occupation of Stage 2.

It is proposed to amend this condition to require the upgrading works to be completed prior to the occupation of Stage 4.
Reports from Director Development Services

The Statement of Environmental Effects submitted with the subject application argues that the upgrading works are not justified prior to Stage 4, having regard to the revised road access and staging proposals.

Comment: This amendment is supported by Council’s Traffic Engineer.

- Condition 68

68. This approval does not authorise effluent re-use or irrigation over the subject land.

It is proposed to delete this condition on the basis that the proposal to use the existing STP on the site would involve the continued irrigation of treated effluent onto the golf course in accordance with existing approvals.

Comment: The deletion of this condition is supported on the basis of the revised scheme.

- Condition 73

73. Pursuant to Section 99 of the Environmental Planning and Assessment Act, 1979, this consent will lapse 2 years from the date on which the consent is issued.

It is proposed to delete this condition.

Comment: On the basis that Council has resolved that the consent has commenced and remains valid there is no objection to the deletion of this condition.

Considerations Under Section 79C of the Environmental Planning and Assessment Act, 1979

(a) (i) The Provisions Of Any Environmental Planning Instrument

Tweed Local Environmental Plan 2000

Clause 16 restricts the height of buildings on the site to three (3) storeys.

The proposed hotel building is a maximum of three (3) storeys in height. An addendum plan was submitted by the applicant to reduce the number of storeys from four (4) to three (3) following advice from Council officers that part of the proposed fire stair constituted a fourth storey. The villa accommodation buildings are one (1) and two (2) storeys.

North Coast Regional Environmental Plan 1988 (NCREP 1988)

Clause 51 – Director’s Concurrence for Tall Buildings

Clause 51 requires the concurrence of the Director for development application for the erection of buildings over 14 metres in height. The proposed motel building exceeds 14 metres in height. The concurrence of the Director was able to be assumed for development in accordance with Tweed LEP 1987. Following the gazettal of the Department of Urban Affairs and Planning (6 June 2000) requesting the amendment of
Reports from Director Development Services

the assumed concurrence provisions so that they refer to “land within the Shire of Tweed to which Tweed Local Environmental Plan 2000 applies”. No response has been received to date.

While the proposed hotel building is greater than 14 metres in height the subject application is a Section 96 Application and not a development application. It is therefore considered that Clause 51 does not apply to this application.

Further, as the original development application did not require the concurrence of the Minister the Section 96 Application is not required to be referred to the Department of Urban Affairs and Planning in accordance with Section 96(2)(b) of the Environmental Planning and Assessment Act 1979

Clause 75 – Tourism Development

Clause 75 requires Council to be satisfied with the following matters prior to granting development consent for development for the purposes of tourism:

a. Adequate access by road, railway or water transport (or any combination of them) exists or will be provided to service the development, taking into account the scale of the development proposed; and

b. If the proposal involves permanent residential accommodation, all social and community services reasonable required by those residents exist in close proximity to the development; and

c. The development will not be detrimental to the scenery or other significant features of the natural environment; and

d. Reticulated water and sewerage are available, or arrangements satisfactory to the Council have been made for the provision of those facilities.

The proposed amendments to the development will result in alterations to the traffic and access arrangements however, Council’s Planning and Design Unit has concluded that the capacity and standard of the local road network is capable of catering for the development.

The proposed new hotel building is approximately 1.5 metres higher than the existing Terranora Lakes Country Club building however, the design and scale of the building are not considered likely to detract from the scenery or other significant features of the natural environment.

The proposed use of the existing on site STP is considered satisfactory to cater for the revised Stages 1 and 2, subject to upgrading.

State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy No. 11 – Traffic Generating Developments
Reports from Director Development Services

The proposed amended development will not result in an increase in the traffic generation of the development. The application was referred to the Roads and Traffic Authority for comment however, no comments were received at the close of submissions.

(a) (ii) The Provisions Of Any Draft Environmental Planning Instrument

No draft plans are applicable to the proposed development.

(a) (iii) Any Development Control Plans (DCPs)

The proposed amendments to the development do not raise any issues related to compliance with any Development Control Plans.

(a) (iv) Any Matter Provided By The Regulations

None applicable to the proposed development.

(b) The Likely Impacts of the Development, Including Impacts on the Natural and Built Environment and Social and Economic Impacts in the Locality

Effluent Disposal

The Statement of Environmental Effects accompanying the application provides the following detail regarding the proposed amendment to effluent disposal arrangements.

“The approved development involves the decommissioning of an existing on site sewage treatment plant (Stage 1) and the construction of a new on site sewage treatment plant (development consent 97/6) or alternatively, connection to Council’s reticulated sewerage system.

It is now proposed that the existing on site sewage treatment plant (STP) be retained and upgraded to service at least revised Stages 1 and 2 of the development.

The existing STP is an approved facility with an operating capacity of 1000EP. It was previously licensed by the EPA up until regulatory responsibility for the facility was transferred to Council, under the Protection of the Environment Operations Act 1997.

The facility has traditionally produced a satisfactory quality effluent, which has been irrigated over the existing golf course.

The STP has previously serviced both the former Terranora Lakes Country Club and the adjoining Timeshare Resort. The Timeshare Resort has recently connected to Council’s sewerage system and therefore, in recent times, the STP has experienced very low inflows.

An upgrade of the facility, to achieve a satisfactory operating condition, is both practical and economically feasible.
Reports from Director Development Services

The capacity of the plant is well in excess of that required to cater to the revised Stages 1 and 2 of the development, which would have a notional demand of 300EP.

Once upgraded, the STP would be operated in accordance with a plan of management submitted to and approved by Council prior to any occupation or use of Stage 1 of the development.”

Comment

Effluent Treatment

Proposed recommissioning and use of the existing PASVEER 1000 Sewage Treatment Plan, to service proposed Stage 1 and 2, with subsequent decommissioning of this sewage treatment plant not to occur until proposed Stage 3 when it is proposed to construct a new sewage treatment plant. Treated effluent from this plant will subsequently be used to irrigate the golf course. This proposal has the effect of requiring certain changes to existing consent conditions most importantly the deletion of Condition 68. In support of deleting Condition 68, the applicant has advised that “The clear implication of Condition 68 is that separate development approval would be required for this aspect of the development”. The applicant further advises that separate approval was sought and obtained for the re-use and on-site irrigation of treated effluent in association with the construction of a sewage treatment plant consent 97/6 issued on the 11 May 1999.

The applicant has provided calculations and advice that the Equivalent Persons (EP) demand that will result from Stages 1 and 2 of the proposed development as amended/revised, will be in the order of 300EP and given that the existing time-share facilities are not now connected to this plant there is excess capacity existing in the PASVEER plant to cope with this demand.

Currently the PASVEER plant is not operating at anything like is efficient capacity, consequently the applicant has advised that some upgrading works are necessary for the plant in order for it to accept effluent loads from Stages 1 and 2 as revised of report from Gilbert and Sutherland and report from Fluid Conveyancing Pty Ltd.

By way of quick history, problems were experienced with leaking treatment ponds connected to this plant several years ago when it was under licence contract by the NSW EPA. The ponds were subsequently lined with Bentonite and irrigation of the treated effluent onto the golf course was resumed under licence conditions. If the plant is recommissioned then irrigation of treated effluent would be necessary to prevent overflow of the treatment ponds.

With the advent of the POEO Act, the PASVEER plant is now under Council control for approval to operate as it is under the 2500EP scheduled threshold. Any approval conditions applied by Council should reflect the previous EPA licence provisions which
Reports from Director Development Services

the plant was capable of satisfying. This would be under separate approval pursuant to the POEO Act.

No objection is raised to the recommissioning of the PASVEER 1000 plant to service stages 1 and 2 of the revised development subject to the conditions.

Construction Vehicles

It is noted that the applicant is requesting that construction vehicles be permitted to utilise the Marana Street entry for the construction of revised stages 1 and 2. Previously, all such traffic was approved to use the Marana Street entrance only for the construction of Stage 1.

Should Council consent to this amendment, then it is likely that it will result in the increase of a larger duration of adverse noise impacts associated with heavy construction vehicles along residential portions of McAllisters Road and Marana Street.

Conditions 18 and 19 of consent 96/519 operate to attempt to restrict noise impacts as a result of construction vehicles and construction site generally. The applicant is not attempting to amend either of these conditions and accordingly Conditions 18 and 19 should remain.

Council should be made aware however that little can be done by way of attenuating noise impacts from construction vehicles using McAllisters Road and Marana Street should complaints be received. The imposition of restrictions limiting the hours that such vehicles can access the site are of limited use as such restrictions would relate to reducing the hours, thus extending the time period of overall site construction activities.

Traffic

The current proposal is to only develop Stages 1 to 3 until Cobaki Parkway is completed which has the effect of limiting the traffic impact on Marana Street and Scenic Drive to the level already approved and has no adverse impact on Piggabeen Road (proposed 656 vpd approved 700 vpd). However conditions 58, 59, 60, 61 & 62 are required to be retained and completed as part of Stage 1.

A condition prohibiting the commencement of Stage 4 until the construction of the Cobaki Parkway and its connection to Piggabeen Road and the proposed Tugun Bypass is required. The requirement for the Tugun Bypass connection is required as Tweed Shire Council has an agreement with Gold Coast City Council regarding traffic loads on Boyd Street generated in Tweed shire. This proposed Condition limits the impact on traffic volumes on Kennedy Drive and effectively makes available 1200 vehicle trips per day of the previously allocated 2660 vpd allocated to the development for other developments west of the Cobaki Creek bridge. This is because these trips originate north of the border and will not be generated until the Tugun Bypass and Cobaki Parkway is completed providing an alternative route to Kennedy Drive.
Reports from Director Development Services

Conditions 56, 57 & 64 are to be completed as part of Stage 4 as proposed in the application to modify the consent.

The TRCP is more complex to calculate due to the detailed traffic analysis being undertaken on the complete development.

It can be reasonably broken down into stages based on floor areas or percentage of units per stage.

The application provides more information on stages 1 to 3 indicating that it represents 20% of the floor area of the complete development (excluding the golf course usage). The TRCP for stages 1 to 3 are as follows:

<table>
<thead>
<tr>
<th>Stage</th>
<th>Component</th>
<th>Trips</th>
<th>TRCP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 1</td>
<td>Golf Course</td>
<td>70</td>
<td>204</td>
</tr>
<tr>
<td></td>
<td>74 units</td>
<td></td>
<td>274</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$185,278.80</td>
</tr>
<tr>
<td>Stage 2</td>
<td>38 Units</td>
<td>105</td>
<td>$71,001.00</td>
</tr>
<tr>
<td>Stage 3</td>
<td>100 Units</td>
<td>276</td>
<td>$186,631.20</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>656</td>
<td></td>
</tr>
</tbody>
</table>

*based on 212 Units
*TRCP Sector 4 at $676.20/trip
*No commercial discount
*Stage 4 to 7 based on 328 units generating 2004 trips and Sector 3 at $391.65/trip

<table>
<thead>
<tr>
<th>Stage</th>
<th>Component</th>
<th>Trips</th>
<th>TRCP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 4</td>
<td>104 Units</td>
<td>635</td>
<td>$248,697.75</td>
</tr>
<tr>
<td>Stage 5</td>
<td>144 Units</td>
<td>880</td>
<td>$344,652.00</td>
</tr>
<tr>
<td>Stage 6</td>
<td>40 Units</td>
<td>244</td>
<td>$95,562.60</td>
</tr>
<tr>
<td>Stage 7</td>
<td>40 Units</td>
<td>244</td>
<td>$95,562.60</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>2660</td>
<td>$1,227,384.75</td>
</tr>
</tbody>
</table>

It should be noted that the contributions for stages 4 to 7 may need to be reviewed at a later date based on more detailed data from the applicant, however, the calculated amounts are considered adequate for the application noting that the total number of vehicle trips generated if 2660vpd is the basis for the total amount payable.
Reports from Director Development Services

The proposed modification to the above consent does not alter the previously approved increase in traffic in Marana Street or Scenic Drive and effectively reduces the impact on Kennedy Drive and Piggabeen Road and frees up 1200 vehicle trips/day for allocation to other proposed projects west of Cobaki Bridge and is therefore supported in terms of traffic management.

**Views/Visual Impacts**

The proposed amendments include the construction of a new hotel building incorporating the sports and spa facility as well as a number of accommodation buildings approved in the original development application. The proposed new hotel building is approximately 1.5 metres greater in height than the existing Terranora Lakes Country Club building. The proposed hotel building will be visible from the surrounding area due to the elevated nature of the site however, it is considered that the visual impacts of the new building will be similar to the existing building.

The proposed amended accommodation buildings are part one (1) storey and two (2) storey villa buildings and replace the approved two (2) storey unit blocks approved in the initial development application. The proposed modified buildings are not likely to result in any increased adverse impacts in terms of visual amenity.

**Flora and Fauna**

The proposed modified development is sited largely within the existing approved footprint with the exception of a fairway (proposed fairway No. 13) which will be sited slightly northward of the fairway approved in this location in accordance with the original application. The assessment of the original impact of the development in terms of flora and fauna does not identify this portion of the site as containing significant vegetation. A site inspection indicates that the amended fairway location will involve some additional clearing largely consisting of Camphors and Lantana. It is considered that the proposed amended development does not raise any issues in terms of potential impacts on flora or fauna.

(c) **Suitability of the Site for the Development**

The amended proposal is considered an appropriate response to site constraints. The proposed buildings are also considered to have more architectural merit than those approved in accordance with the original development application.

(d) **Any Submissions Made in Accordance with the Regulations or the Act**

No submissions in accordance with the Regulation or the Act.

(e) **The Public Interest**

The application was advertised and notified in accordance with Development Control Plan No. 42 – Public Notification Policy. A total of six (6) submissions were received in response to the exhibition period. The application was also referred to the Environment Protection Authority, NSW National Parks and Wildlife Service and the
Department of Land and Water Conservation for comment. The Environment Protection Authority provided a response indicating that they had no comment in relation to the proposed amendments.

The issues raised in the submissions are addressed in the following table:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Assessment</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRAFFIC &amp; PARKING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Increased traffic in Marana Street which is a residential area.</td>
<td>Marana Street is capable of catering for traffic generated by the proposed development as amended.</td>
<td>This issue does not warrant refusal of the Section 96 application.</td>
</tr>
<tr>
<td></td>
<td>Proposed access arrangements for construction traffic are considered satisfactory.</td>
<td></td>
</tr>
<tr>
<td>• Project traffic should be diverted away from Marana Street and into McAllisters Road and then onto the present golf course.</td>
<td>The proposed modification do not warrant the construction of a roundabout in this location.</td>
<td>This issue does not warrant refusal of the Section 96 application.</td>
</tr>
<tr>
<td>• Residents of Bilambil Heights would like a roundabout constructed at the intersection of Scenic Drive and McAllisters Road.</td>
<td>The realignment and upgrading of Scenic Drive/McAllisters Road intersection would overcome some of the traffic movement resulting from the development.</td>
<td>This issue does not warrant refusal of the Section 96 application.</td>
</tr>
<tr>
<td>• Installation of traffic lights at the junction of Scenic Drive and McAllisters Road will not adequately control the movement of heavy traffic in terms of both size and quantity. The realignment and upgrading of Scenic Drive/McAllisters Road intersection would overcome some of the traffic movement resulting from the development.</td>
<td>The proposed modifications to the approved development do not necessitate any further works in addition to those required in association with the original proposal.</td>
<td>This issue does not warrant refusal of the Section 96 application.</td>
</tr>
<tr>
<td>• Objection to the extension of the car park off Marana Street. Shadows cast by 3 storey car park over</td>
<td>A temporary car park is proposed at the entry to the site at Marana Street (as required by a condition</td>
<td>This issue does not warrant refusal of the application.</td>
</tr>
</tbody>
</table>
## Reports from Director Development Services

<table>
<thead>
<tr>
<th>Issue</th>
<th>Assessment</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>storey car park over neighbouring land.</td>
<td>(as required by a condition of consent). The proposed amendments also involve the deletion of the approved underground car park and construction of parking at grade. The proposed modification is considered satisfactory and no 3 storey car park is proposed.</td>
<td>This issue is not considered to warrant refusal of the application.</td>
</tr>
<tr>
<td>• Objection to car parking at grade. Replacement of grassland and trees with car park will detract from the outlook. Carpark should be located within the development not ‘tacked’ on the outskirts. Noise from engines, doors, intoxicated people, etc.</td>
<td>The proposed at grade car park is located approximately 20 metres from adjoining dwellings. It is considered that the requirement for the submission of landscaping plans will adequately address the potential visual impacts of the car park. It is considered that noise from the car park would not be sufficient to warrant a requirement that car parking be provided underground.</td>
<td></td>
</tr>
<tr>
<td>OTHER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Development will result in restricted access to resort facilities for members of flexi-print members club. There was a previous agreement between the two groups that an easement would be provided for access. The easement has not been provided.</td>
<td>This issue is not related to the proposed modifications to the approved development.</td>
<td>This issues does not warrant refusal of the application.</td>
</tr>
<tr>
<td>• Loss of native vegetation</td>
<td>The proposed amendments</td>
<td></td>
</tr>
</tbody>
</table>

TWEED SHIRE COUNCIL MEETING HELD WEDNESDAY 1 AUGUST 2001
### Reports from Director Development Services

<table>
<thead>
<tr>
<th>Issue</th>
<th>Assessment</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>and established trees. No proposed protection of native flora and fauna.</td>
<td>do not result in the disturbance of significant vegetation and will involve minor additional removal of vegetation consisting primarily of Camphors and Lantana. The original development application incorporated the preservation of significant areas of the site.</td>
<td>warrant refusal of the application.</td>
</tr>
<tr>
<td>• Stand of Camphor Laurels (approximately 14) adjacent to 31 McAllister Road is dangerous and the owners should be required to remove them.</td>
<td>The author of this letter has forwarded a copy of the letter to the owners of the property. This issue does not relate to the proposed amendments to the development application.</td>
<td>This issue does not warrant refusal of the application.</td>
</tr>
<tr>
<td>• Twenty-four hour access will disturb the neighbourhood.</td>
<td>This issue does not relate to the proposed modifications.</td>
<td>This issue does not warrant refusal of the application.</td>
</tr>
</tbody>
</table>

### OPTIONS

Councils options in this instance appear to be as follows:-

1. Approve the application subject to conditions as per the recommendation.
2. Refuse the application.

### LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

Should Council refuse the application the applicant has a right of appeal to the Land and Environment Court.

### CONCLUSION

The proposed modifications to the approved buildings and staging scheme are considered acceptable. The proposed modified development is not considered likely to result in significant impacts on the existing natural or built environment.
Reports from Director Development Services

The development to which the consent as modified relates is considered substantially the same as the development for which consent was originally granted. It is concluded that the subject applications warrants approval.
Reports from Director Development Services

5. ORIGIN: Development Assessment Unit

FILE REF: DA3740/470 Pt2

REPORT TITLE:

Multi-Cap - Subdivision of Lot 7 DP 734572 North Arm Road, Murwillumbah - Proposed Bonding of Infrastructure Works

SUMMARY OF REPORT:

Council granted Development Consent 0068/2001DA for the subdivision of Lot 7 DP 734572 into 2 lots to enable the erection of a Multi-Cap facility in Murwillumbah. No development application has been received for the Multi-Cap building. Martin Findlater and Associates, on behalf of the applicant, has lodged an application to allow the Subdivision Certificate to be issued without the provision of infrastructure and services as required under the terms of the Development Consent. Essentially, a bond or bank guarantee, equal to 125% of the estimated cost of the works, would be lodged in lieu of providing the infrastructure.

Conditions were placed on the consent to ensure that all necessary infrastructure is in place to service the new lot, being the proposed location of the Multi Cap facility. This infrastructure includes kerb and gutter, road access, water and sewer reticulation and stormwater. The conditions of Consent are consistent with other similar developments and are in accordance with the objectives and provisions of Clause 15 of Tweed Local Environmental Plan 2000 and Part 19.2.2 of Development Control Plan No. 16, Subdivision Manual.

There are financial risks involved with accepting a bond for infrastructure works and Council’s practice is to only accept bonds for minor work like footpaths, landscaping and street lighting and not essential services.

The application has been reviewed and it is recommended that all necessary infrastructure be constructed to Council’s minimum standards as required under the development Consent, so that the interest of the residents and ratepayers of the shire is protected and that the public interest will not be compromised. In this regard the request to bond the works should not be supported.

RECOMMENDATION:

That the request to bond the uncompleted civil works, in relation to Development consent 0068/200DA, being the two lot subdivision of Lot 7 DP 734572 North Arm Road, Murwillumbah, be refused.
Reports from Director Development Services

REPORT:

Applicant: Martin Findlater and Associates on Behalf of Multicap
Owner: Corporate Trustees of the Diocese of Grafton
Location: Lot 7 DP 734572 North Arm Road, Murwillumbah
Zoning: 2(c) Urban Expansion and 2(a) Low Density Residential

BACKGROUND

Council approved the Subdivision of Lot 7 DP 734572 on 7 March 2001, under Development Consent 0068/2001DA. The two lot Subdivision Consent was granted to enable a lot to be created for the siting of the proposed Multi Cap facility and a lot to be sold to the Moran Group to provide funding for the facility.

Conditions 33, 45, 46, 47 and 48 require the widening of North Arm Road and the provision of kerb and gutter, sewer, water reticulation, power, telephone and stormwater infrastructure to be completed prior to the issue of the Subdivision Certificate.

In essence, the applicant has proposed that the road widening and services not be provided so that the Subdivision Certificate may be issued. In lieu of providing the infrastructure the applicant is proposing that the work be bonded by way of a bond or bank guarantee equal to 125% of the estimated cost of the works.

CONSIDERATION

a) Tweed LEP – Clause 15 Availability of Essential Services

Comment: The objectives of this clause are as follows

1) Objectives
   • To ensure that development does not occur without adequate measures to protect the environment and the community’s health and
   • To ensure that development occurs in a co-ordinated and efficient manner.

   The second part of Clause 15 requires the following:

2) Consent must not be granted to the carrying out of development on any land unless:
   • a water supply and facilities for the removal or disposal of sewerage and drainage are available for that land, or
   • arrangements satisfactory to the consent authority have been made for the provision of that supply and those facilities.

It is considered that Council could only release the subdivision certificate for the following reasons.

1. Council is satisfied that all necessary infrastructure is in place to service the new lots. This includes:
Reports from Director Development Services

a) The widening of North Arm Road and the provision of kerb and gutter; and
b) Water reticulation, sewer, stormwater, electricity and telephone have been provided.

2. Council is satisfied that arrangements have been made for the provision of that supply and facilities.

3. That any future development of the land will occur in a coordinated fashion. Situations have arisen in the past where Council has granted developers concessions by way of bonding of works to enable construction of developments prior to the necessary infrastructure being put in place which have resulted in developments being completed prior to essential services being available.

In accordance with DCP 16 – Subdivision Manual, Part 19.2.2 it is standard practice to require development lots to be fully serviced with all public utilities for building occupancy prior to the Subdivision Certificate being issued by Council. This has the effect of restricting the future construction on development lots until such time as the plan of Subdivision is registered with the Lands Title Office, but ensures Council is satisfied with the standard of roads, water, sewer and stormwater infrastructure.

Council’s practice and policy has been developed over the years so that development occurs in a coordinated manner, to ensure that when new lots are created all roads and infrastructure have been constructed to Council’s minimum standards to service the lots, and to protect the interests of the ratepayers and residents of the Shire. To ignore Council’s standard practice and policy would create a dangerous precedent and put at risk the interest of the ratepayers and residents of the Shire and may place a financial burden on the Council.

b) Public interest

It is not in the public interest to allow bonding of the works, due to the risk to the environment, both natural and built, and to ensure that the development occurs in a coordinated manner, whereby all public infrastructure is in place and operational prior to creation of new lots. This removes any risk of the lots being sold prior to the infrastructure being completed to Council’s satisfaction, removes any financial risk for Council, removes the risk of Council being held responsible for the completion of the construction of necessary infrastructure essential to service the new lots, and removes the risk of Council not providing a level of service expected by the Shires existing ratepayers and residents.

c) Applicant’s submission

A copy of the Applicant’s submission in support of the bonding of the work is reproduced as follows:
Reports from Director Development Services

“Our client would seek to bond the work detailed in the drawings submitted with the Construction Certificate Application. They do so for two reasons. Firstly, the allotment south of Ingram Place is currently serviced with water, sewer and power or can be by application to the relevant authorities. The second reason is that the second allotment which is the proposed site of the Respite Centre is the subject of further approvals. It is intended to construct the roadworks and other external facilities concurrently with the building construction in order to achieve some economies of scale. The external works are relatively minor. To aid Council in determining the amount of the bond we have enclosed a preconstruction estimate.”

Comment

To enable the subdivision to proceed prior to the necessary infrastructure and essential services being completed the applicant has proposed that the work be bonded with Council by way of a bank guarantee. This is not standard practice by Council and the following risks/areas of concern are noted:

1. The value of the works is estimated at $45,208. It should be noted that the cost for such works could increase for a number of reasons including the weather and fluctuating costs for goods and materials. Should Council take a bond for an amount that is not adequate to cover the cost of the works, then Council would have to make up this shortfall funded by the ratepayers of the Shire if Council ultimately was required to call the bond up and do the work.

2. Council practice is that bonds only be taken for minor work such as footpaths, street lighting or landscaping and not for essential public utility services.

3. Currently the timing of when this infrastructure is to be completed is unknown. Should Council accept a bond for the works, and the Multi Cap facility not proceed, it is possible that the lots could be sold, without all necessary infrastructure being completed. Council could then be put in the position of being required to complete the works, which may necessitate the diversion of resources, staff and machinery away from schedule work elsewhere in the shire such as maintenance and sealing of rural roads, maintenance and replacement of aging Council water and sewer mains, which service existing ratepayers in the established residential areas of the Shire.

Options:

1. The Application for bonding of the infrastructure works be refused for the following reasons:
   i) The proposal is not in the public interest.
   ii) The proposal may have an adverse impact upon the environment by providing lots, which are not properly serviced by essential infrastructure.
iii) The proposal is not in accordance with Clause 15 of Tweed Local Environmental Plan 2000 as satisfactory arrangements have not been made for the supply of water and disposal of sewage and stormwater from the development.

2. Approve the Application and allow the subdivision certificate to be released subject to the lodging of a bond or bank guarantee for $56,510.00.

CONCLUSION:

The Conditions were placed on the subdivision consent to ensure that the development proceeded in a co-ordinated manner and to ensure that all necessary infrastructure is in place to service the two lots, including, public roads, water reticulation, sewer reticulation and stormwater. The conditions of Consent are consistent with other similar developments and are in accordance with the objectives and provisions of Clause 15 of Tweed Local Environmental Plan 2000 and Part 19.2.2 of Development Control Plan No. 16, Subdivision Manual.

It is recommended that all necessary infrastructure required under Development Consent 0068/2001DA be constructed to Council’s minimum standards, so that the public interest will not be compromised and the interests of the Shire’s Ratepayers and Residents are not put at risk. In this regard, the application to bond the works should be refused.
Reports from Director Development Services
Reports from Director Development Services

6. ORIGIN: Strategic Town Planning Unit

FILE REF: GT1/DCP/44 Ptl

REPORT TITLE:

Dual Occupancy Controls - Casuarina Beach

SUMMARY OF REPORT:

At the previous meeting of Council a report was requested on how to address issues concerning dual occupancy controls at Casuarina Beach. This report has concluded that no amendments to Council’s current controls for dual occupancy development are required to achieve the developer’s intentions.

RECOMMENDATION:

That Section 64 Contributions under the Water Supply Authorities Act 1987 and Section 94 Contributions under the Environmental Planning and Assessment Act for dual occupancies development be reviewed to more equitably reflect occupancy rates based on size of units.
Reports from Director Development Services

REPORT:

At the meeting held on 18 July, 2001 Council resolved that:

“that Council:

1. Supports the following proposal, in principle:

For the purpose of Tweed DCP No. 44 Dual Occupancy Controls – Tweed Shire to the development known as Casuarina Beach, “dual occupancy” shall be interpreted to exclude a dwelling incorporating a studio or granny-flat on a single allotment, whether or not physically separated and/or possessing a separate entrance PROVIDED THAT the said studio or granny-flat does not exceed in internal floor area 50m² or one third of the internal floor area of the primary dwelling, whichever is the lesser.

2. Requests the Acting Director Development Services bring forward a report on how to address the issues, for Council determination, at the next meeting”.

This resolution arose from a letter received from the Casuarina Beach developers concerning DCP 44 – Dual Occupancy Controls. A copy of the letter is attached to the Agenda together with the response from the Manager of Strategic Planning. A further letter on this matter from the Developer is also attached.

The first letter indicates there is some confusion about what constitutes a dual occupancy development, the relevant controls which apply to the 2(e) Residential (Tourist) zone, and S94 Contributions. Comment on the letters and the relevant issues follows:

DUAL OCCUPANCY DEVELOPMENT

Tweed Local Environmental Plan 2000

The Tweed LEP 2000 sets out the regime of permissibility for housing development. The following definitions from the LEP are relevant:

“Dwelling House – a building containing one but not more than one dwelling.

Dwelling – a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Multi-dwelling Housing – more than one dwelling on an allotment, but does not include a rural worker’s dwelling”.

Accordingly, any form of development which is capable of being used as more than one separate domicile must be classified as multi dwelling housing under the provisions of the LEP. Multi dwelling housing is permissible in the 2(e) zone.

DCP 44 CONTROLS

A Development Control Plan generally sets out the detail controls for a particular type of development in addition to those contained in the LEP.
Dual occupancy falls within the definition of “multi dwelling housing” in the LEP, and is defined in DCP 44 separately in the following terms:

“dual occupancy” means any development which results in two (2) dwellings (whether attached or detached) on a single allotment of land (or which would have that result were it not for the fact that the allotment is to be subdivided) (where permissible) as part of the development”.

DCP 44 sets out the detailed controls for the distribution and density of dual occupancy development. Whilst land zoned 2(e) is included in the DCP the detailed controls for dual occupancy development in that zone do not restrict the size of an allotment to 900m², as in the 2(a) and 2(c) zones. The DCP’s requirements in the 2(e) zone are limited to the following:

- “Is not a battleaxe allotment;
- Is not irregular in shape or have large circular arc frontages to public roads;
- If it is a corner allotment, has regular square or rectangular shape and a minimum area of 1000m²”

Consequently, on the majority of lots in Casuarina Beach the DCP controls on dual occupancy development would not have a minimum area restriction for the erection of dual occupancy development.

CASUARINA BEACH

The developers have requested an amendment to both DCP 44 and S94 Contribution Plans in respect of Casuarina Beach. These are discussed in full below.

DCP 44

Casuarina Beach is zoned 2(e). As already noted, there are no lot size restrictions on dual occupancy in that zone, except in respect of a corner allotment. Council has the ability to approve development which departs from a DCP in special circumstances (see Clause 1.7 of the DCP), which may be the case in respect of a small studio apartment over a garage. There is therefore nothing to be gained from introducing a further definition for a form of housing (ie, a studio) in either DCP 44 or the LEP.

S94 AND SECTION 64 CONTRIBUTION

All contributions in the Shire for the subdivision of land are based on a per capita assessment of the cost of the required infrastructure for 1 ET (Equivalent Tenement), irrespective of the zoning for the land. Not to levy a contribution in respect of any studio/dual occupancy would create an inequitable situation when compared with similar development in other urban areas of the Shire.

Should a development be capable of being used as multi-dwelling housing, as defined in the LEP, then S94 Contributions should continue to be levied. Current rates are based on an occupancy rate of 3.5 persons per dwelling. It is agreed that for small “studio” apartments of say one (1) bedroom, that this occupancy rate will be substantially less and that there should be a review of this part of the plans to relate contributions to number of bedrooms rather than per dwelling.
Reports from Director Development Services

CONCLUSION

As can be seen from the above comments there is sufficient flexibility in DCP 44 to accommodate the issues raised in the submission without the need to amend the Plans.
Reports from Director Development Services

7. ORIGIN: Acting Director Development Services
   FILE REF: GT1/LEP/2000 Pt1

REPORT TITLE:
Tweed Local Environmental Plan 2000 – Combined Development applications/LEP Amendment Requests

SUMMARY OF REPORT:
A development application and LEP amendment request has been received for a property in Nullum Street, Murwillumbah to use it for office purposes. This report canvasses the option of dealing with this type of application having regard to the workloads of both the Strategic Town Planning Unit and the Development Assessment Unit.

RECOMMENDATION:
That this report be received and noted.
Reports from Director Development Services

REPORT:

Council is in receipt of a joint Development Application and rezoning application for the use of Lot B, Section 5, DP 174482, Nullum Street, Murwillumbah as office accommodation. This report will consider how this application and other similar proposals should be dealt with.

BACKGROUND

The land is zoned 2(b) Medium Density Residential under the Tweed LEP 2000. The proposed use is prohibited in the zone. Prior to 1993, the existing building on the property was used as a dwelling house. The house was converted to office accommodation for the Murwillumbah Youth Enterprise Centre pursuant to development consent 92/384, issued on 5 January, 1993. The application was approved as a community building.

SECTION 72J OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

This amendment to the Act provides for the making of a Development Application for development which may only be carried out if an environmental planning instrument applying to the land is appropriately amended. The Act does not indicate how such an application is to be determined, and therefore the Act must be interpreted to the effect that this cannot be undertaken until the LEP has been amended. This provision does not convey any additional rights on an applicant or Council.

WORK PROGRAM

All amendments to the Tweed LEP are dealt with by the Strategic Planning Unit. The half yearly review of the Work Program by Council determines how the Unit work load will be prioritised, including LEP Amendments, for greatest benefit to Council and the broader community. As has been emphasised at each review, Council does not have the resources to deal with all rezoning applications: they have to be prioritised. It is essential that that remains the case.

The current Program includes the following LEP Amendments:

- Proposed Local Environmental Plan Amendments:
  - Chinderah – Stirling Land;
  - Melaleuca Station, Lot 704 on DP 1000580;
  - Tweed Local Environmental Plan 2000 Housekeeping Amendments – Exempt and Complying Development, Signage, Coolangatta Airport, Administrative Local Environmental Plan Amendments;
  - Sea Breeze Estate, Pottsville;
  - Mooball Road, Pottsville;
  - Riveroak Drive.
Reports from Director Development Services

**Combined Development Application/LEP Amendment Requests**

Applications of this type are taken to be those LEP Amendments that involve a single property/small area, that do not raise any significant strategic issues and are supported by a specific development application. At this stage the Strategic Planning Work Program does not include any such rezonings. Options to deal with such rezonings have been explored and the following conclusions reached:

- These are proposed LEP Amendments which raise no significant strategic issues and are indeed more of a development assessment process;
- The processing of such amendments, once identified, do not require significant additional resources, beyond those normally required to deal with a development application;
- As the applicant has committed to the preparation of a development application, timing of decision making is of paramount importance;
- Such amendments do not usually change the zoning of the land but are achieved by the inclusion of an additional item in Schedule 3 to the LEP.

**Options**

- Include these types of requests in the Strategic Planning Work Program as resources allow as part of the 6 monthly review.
- Make provision for these types of requests for LEP Amendments to be included as part of the development assessment process.

**Conclusion**

Having regard to the issues involved in the processing of combined development application/LEP amendment requests and the current Work Program of the Strategic Town Planning Unit, it is considered that such applications would most appropriately be dealt with as part of the Development Assessment Unit’s Work Program.

This approach will ensure that the priorities set by Council at the 6 month review of the Strategic Town Planning Work Program are not compromised and site specific requests accompanied by a development application are reviewed in accordance with the normal criteria for dealing with development applications. It should be noted that this will place some additional pressure on development assessment resources.

It is therefore proposed, for a trial period of twelve (12) months, to allocate combined development applications/LEP amendment requests made in accordance with Section 72J of the Environmental Planning and Assessment Act to the Development Assessment Unit for processing. This will be on the clear understanding that such applications will:-

- Not raise any significant Strategic Planning issues or departures to the Tweed 2000+ Strategic Plan;
- Only involve amending Tweed Local Environmental Plan 2000 by the inclusion of an item in Schedule 3; and
Reports from Director Development Services

- Be prioritised as part of the normal day to day work program of the Development Assessment Unit.
Reports from Director Development Services
Reports from Director
Corporate Services

8. ORIGIN: Director

FILE REF: TACTIC

REPORT TITLE:

Tweed and Coolangatta Tourism Incorporated (TACTIC) - Request for Additional Funding

SUMMARY OF REPORT:

TACTIC, during their presentation to Council on Wednesday, 27 June 2001, expressed a desire for Council to provide additional financial support for their marketing strategy.

Council's adopted budget does not provide the scope to significantly increase their allocation by $60,000.

The General Manager has suggested that TACTIC discuss with Redlands Tourism their resourcing strategy with the aim of developing greater financial security.

RECOMMENDATION:

That Council advises TACTIC:

1. Council has already committed its budget resources to programs and that there is no additional funding available to support TACTIC from its 2001/2002 Budget.

2. The General Manager will make officers available to provide TACTIC management with support to explore alternative revenue raising options.
Reports from Director Corporate Services

REPORT:

The following letter has been received from TACTIC confirming matters raised with Council at its workshop on Wednesday, 27 June 2001:

---

Dr John Griffin
General Manager
Tweed Shire Council
PO Box 816
Murwillumbah
NSW 2484

28th June 2001

Dear John,

Our thanks to Council for taking the time to listen to the Tweed and Coolangatta Tourism Incorporated (TACTIC) presentation to Tweed Shire Council on Wednesday last.

As presented, TACTIC is largely meeting and exceeding the performance criteria assigned to TACTIC by Tweed Shire Council and is planning to significantly improve on our performance in the future.

TACTIC is serious about marketing the Shire and has demonstrated this with the implementation of a dedicated, enthusiastic Marketing Committee. This committee is actively promoting TACTIC and the Shire through a range of medium including internal and external PR, advertising, trade events, shopping centre promotions, familiarisation tours, group bookings and other cooperative activities.

A number of opportunities have been identified by TACTIC aimed at making our organisation more self-sufficient. These include: the formulation of a 3-year rolling business plan; developing the region as a conference and convention destination; developing TACTIC as a conference and convention bureau, and marketing the hinterland areas as a heritage destination.

To realise these opportunities; to maximise employment and to promote the development of economic wealth within the shire, additional funds are requested. TACTIC appreciates current funding of $209,000 to operate the two Visitor Information Centres and has raised, through its own initiatives, an additional $60,000 for marketing. TACTIC would like to invite the Tweed Shire Council to match the $60,000 for marketing to increase the total management grant to TACTIC to $269,000 per annum. Our region as a whole will benefit greatly from these initiatives and will enable TACTIC to enhance the value of the tourism industry to the Shire.

I look forward to hearing from you at your earliest convenience.

Yours Sincerely,

James McKenzie
Acting Chairperson
Tweed and Coolangatta Tourism Incorporated

---
Reports from Director Corporate Services

The General Manager has advised TACTIC that Council’s budget for 2001/2002 has been committed and therefore consideration of an additional $60,000 to assist their marketing program had not been provided for in the budget. This would require Council to reallocate funds to support such a proposal.

It has been suggested that TACTIC discuss with Redlands Tourism their success strategy in raising additional revenue. Supporting this has been an offer by the General Manager for Council officers to assist TACTIC management in exploring other revenue raising initiatives to achieve their self-sustaining goal.
Reports from Director Corporate Services

9. ORIGIN: Director

FILE REF: Civic Awards

REPORT TITLE:

Local National Award Winners - Recognition

SUMMARY OF REPORT:

Mr Bruce Chick has written to Council with a suggestion that would provide a mechanism to acknowledge all local national award winners.

RECOMMENDATION:

That consideration be given to establishing local achiever recognition plaques to be located within the Murwillumbah Civic & Cultural Centre, together with criteria for determination of recognition.
Reports from Director Corporate Services

REPORT:

The following letter has been received from Mr Bruce Chick bringing to Council’s attention a suggestion he had received relating to the recognition of local national award winners:

3 Topaz Place
Murwillumbah.
6/7/01

The General Manager, Mayor & Councillors of Tweed Shire Council.

Re National Award Winners

I pass on a suggestion I received.

It was to record in an appropriate way all local National Award Winners.

A number have passed away and some still living have been forgotten.

The memorial could in sections record:

a) Imperial awardees

b) National awardees from the time they were first made until 1999

c) Awardees in the 21st Century.

The appropriate site for the plaque would be the Civic Centre of our local Government.

Yours sincerely

Bruce Chick
OAM for service to conservation 1988
S.A.G.E. (Senior Australian Guardian of the Environment, working in a voluntary capacity)

It is recommended that consideration be given to establishing local achiever recognition plaques to be located within the Murwillumbah Civic & Cultural Centre.
Reports from Director Corporate Services

10. ORIGIN: Director

FILE REF: Councillors – Conferences, Tourism-General

REPORT TITLE:

'Tourism ... a passport to regional economic growth' - A Southern Cross University Tourism Executive Development Program - 11 to 14 November 2001

SUMMARY OF REPORT:
Advice has been received from Southern Cross University on a workshop ‘Tourism … a passport to regional economic growth’ to be held at the Invercauld Conference Centre, Lismore from 11 to 14 November 2001. Program details are included in the report.

RECOMMENDATION:

That any Councillor(s) interested in attending the 'Tourism ... a passport to regional economic growth' Workshop from 11 to 14 November 2001 be authorised to attend and the Mayor’s Secretary to register their attendance.
Reports from Director Corporate Services

REPORT:

Advice has been received from Southern Cross University on a workshop ‘Tourism … a passport to regional economic growth’ to be held at the Invercauld Conference Centre, Lismore from 11 to 14 November 2001.

ABOUT THE WORKSHOP

Combine national and regional tourism industry experts, leading academics and a committed, enthusiastic group of tourism professionals and you have the formula for a dynamic, stimulating and energy charged workshop that will assist your local or regional tourism industry in achieving results! It’s always a balancing act for those in the front line of regional tourism to keep abreast of current trends and practices while keeping their ‘finger on the pulse’ of their own area of responsibility. This workshop is designed to facilitate discussion, exchange best practice ideas through case studies, and look at getting the most from planning and partnerships and harnessing your creative energy.

WHO SHOULD ATTEND?

You will benefit from this program if you are involved with local or regional tourism as a:

- Tourism Manager;
- Tourism Information Officer;
- Corporate Services Manager;
- Planning & Development Manager;
- A Member of State or Regional Economic Development Organisation; or
- Person interested in being a part of your region’s growth.

BENEFITS FOR YOUR REGION

The tourism management workforce within regional destinations is a core resource for realising the sustainable growth potential of regional tourism.

This workforce must have the capacity to identify opportunities and partnerships and implement processes enabling development of a sustainable tourism industry. The industry can then contribute to the economic, social, and environmental well being of the destination and its communities.

The success of any tourism initiative in providing: employment opportunities; economic stimulus; and impetus to manage and preserve heritage, historical, cultural and physical assets, relies on partnership between these organisations and a clear vision for sustainable development.

IDENTIFYING FUTURE CHALLENGES

Many regional communities are looking to tourism to provide opportunities for economic growth and assistance in dealing with the issues related to declining of traditional industries.

It is essential that those in tourism roles, whose job it is to pull the key players together and provide the required momentum for co-ordinated development, have the skills to do so.
Reports from Director Corporate Services

Without sustainable models of destination planning and marketing management, no real infrastructure for the growth of tourism opportunities will occur in regional areas.

FOCUSING ON SKILLS FOR FUTURE SUCCESS

Identifying, developing and maintaining management partnerships for regional tourism destinations are a key theme carried throughout the workshop.

The experience we have drawn from conducting and facilitating similar programs for the industry has confirmed the need to focus on the four important skill areas covered in this workshop. These are:

- Knowledge management (the use of data and information in decision making);
- Partnership management and facilitation;
- Partnership marketing;
- Industry extension (delivering information and knowledge to the industry).

PROGRAM

Sunday, 11 November – 5.30pm

Registration and welcome dinner.

Monday, 12 November – 9.00am

Planning – Formulas for Success

- Keynote speaker
- Consultation and Stakeholders – Planning for action
- Regional Planning – Partners (Panel discussion including members of the community, tourism businesses and regional tourism organisations)
- Destination X – Planning Workshop
- Reassessing Regional Tourism – “The Romance and the Reality”
- 5.00pm Close

Tuesday, 13 November – 9.00am

Persuasive Destination Marketing

- Branding: Regional and Local Products and Destinations – tying the two together
- What to Market and to Whom (Panel Discussion)
- Best Practice Marketing – Case Studies
- Electronic Media and Marketing – Making the most of your web site
Reports from Director Corporate Services

- Partners in Marketing
- 5.00pm Close

Wednesday, 14 November – 9.00am

Cross the Funding Threshold – Funding to Suit Your Needs

- How to fund your marketing efforts
- Regional Government Policies “Changing the Course of Regional Tourism through Understanding Government Agendas”
- CRTR (Centre for Regional Tourism Research) “How to use research findings as a total to assist in planning and development”
- 3.15pm Close

FINANCIAL IMPLICATIONS

Registration  $649.00
Accommodation $198.00 (3 nights @ $66)
Total  $847.00

2001/2002 BUDGET ALLOCATION

Allocation  $23,100.00
Expenditure to date  $608.00
Balance  $22,492.00
Reports from Director Corporate Services

11. ORIGIN: Director

FILE REF: Councillors - Conferences

REPORT TITLE:

Regional Co-ordination and Development Forum and the National General Assembly of Local Government, 26 to 28 November 2001

SUMMARY OF REPORT:

A program has been received for the Regional Co-ordination and Development Forum and the National General Assembly of Local Government to be held from 25 to 28 November 2001 at the National Convention Centre, Canberra.

RECOMMENDATION:

That

1. Council nominates the Mayor and any interested Councillor(s) to attend the Regional Co-operation and Development Forum and the National General Assembly of Local Government from 25 to 28 November 2001.

2. The Mayor’s Secretary registers their attendance.

3. Council determines any motions to be submitted by the General Manager for debate at the General Assembly.
REPORT:

A program has been received for the Regional Co-ordination and Development Forum and the National General Assembly of Local Government to be held from 25 to 28 November 2001 at the National Convention Centre, Canberra.

REGIONAL CO-OPERATION AND DEVELOPMENT FORUM

The Forum is held in conjunction with the National General Assembly of Local Government. Outcomes from the Forum will be forwarded as a communiqué to the ALGA General Assembly with recommendations to be adopted as part of Local Government’s policy agenda.

The theme of the 2001 Regional Co-operation and Development Forum and the State of the Regions report is ‘Jobs and Learning Communities’. It involves keynote speakers, panels and workshops. The Forum looks at what local government and economic development agencies are doing to stimulate local job growth and access to learning pathways in Australia.

Issues addressed by speakers and workshops include:

• Strategic vision and leadership for the regions around knowledge and learning.
• Supporting community groups and households in jobs and learning pathways.
• Supporting councils, business and community networks that are geared to strengthen regional knowledge and learning systems.
• Data and information systems to improve employment and learning outcomes.
• Implementing jobs and learning strategies within councils and the community.

FORUM PROGRAM

9.30am Welcome
9.45am Launch of State of Regions Report
10.00am Keynote Speaker – The role of local government in the knowledge economy
10.30am Panel presentation
  • Council as leaders of the learning community
  • Benchmarking local job and learning outcomes
  • Community partnerships to improve learning outcomes
11.15am Morning tea
11.45am Workshops
  • How can three tiers of government work better together to improve local employment and learning outcomes?
  • What are the resource requirements?
Reports from Director Corporate Services

1.00pm Lunch
2.00pm National Regional Development Benchmarking – A framework for Australia
2.20pm Learning and Employment Models in Action – Panel – Real life examples of how communities are committing to learning and employment issues to address their problems.
3.40pm Afternoon tea
4.00pm Plenary Session – summing up

National General Assembly – Theme
‘Community Renewal – Citizens in Action’ is a reflection of the challenge ahead for Local Government. Following a decade of reform, Local Government is now ready to work hand in hand with its citizens to refresh, renew and re-invigorate the community. Our speakers this year will motivate you with experience in leadership, empowerment, and active citizenship leaving you with ideas to apply to community issues at home. Importantly, the General Assembly is your opportunity to contribute to the national debate on governance and intergovernmental relations, transport and the environment. We invite you to join us in Australia’s capital to demonstrate the power of Local Government and to ensure that your ‘citizens in action’ are represented.

Motions for Debate
Councils and Regional Organisations of Councils are encouraged to submit motions on issues of national importance for debate. Motions should be received by ALGA no later than Monday, 1 October 2001. As in previous years, the ALGA Executive will develop composite motions to reduce the total number of motions under consideration. In response to delegate requests, the amount of time dedicated to debate has been greatly increased this year. The ALGA Executive reserves the right to ensure motions are applicable to the national focus of the Assembly debate.

Voting Procedures
Each Council is entitled to one voting delegate at each plenary session. Councils will need to nominate their voting delegate. Voting cards will be distributed at the National Convention Centre beginning 9am Sunday, 25 November 2001 and throughout registration. All motions adopted by the General Assembly will be referred to the ALGA Annual General Meeting on 28 November 2001 for further consideration.

National General Assembly – Program
Sunday, 25 November
9.00am Registration
10.00am Regional Co-operation and Development Forum
6.00pm Welcoming Reception – Local Government Expo Opening

Monday, 26 November
8.00am Registration
Reports from Director Corporate Services

9.00am  Opening Session – Indigenous Welcome, anthem, President’s Address
10.00am Keynote Address – Ms Vicki Buck, Former Mayor of Christchurch, NZ
10.45am Morning Tea
11.15am General Assembly in Plenary Session (Resolutions)
12.30pm Lunch
1.30pm General Assembly in Plenary Session (Resolutions)
2.45pm Afternoon Tea
3.15pm Issues Forums and Symposia
  •  Productive Diversity
  •  Our Vital Resources: National Action Plan for Salinity and Water Quality
  •  New Urbanism

5.00pm Close
5.30pm Elected Representatives Reception
Evening National Museum of Australia Viewing and Dinner

Tuesday, 27 November

8.30am General Assembly in Plenary Session (Resolutions)
9.30am National Awards for Innovation in Local Government – Senator the Hon. Ian Macdonald, Minister for Regional Services, Territories and Local Government
10.30am Morning Tea
11.00am Keynote Address – Mr Peter Howarth, Revitalising Nundle
12.00pm Lunch
1.00pm Issues Forums and Symposia
  •  Disaster Risk Management
  •  E-Government
  •  Transportation and Asset Management
2.30pm Afternoon Tea
3.00pm General Assembly in Plenary Session (Resolutions)
5.00pm Close
Evening General Assembly Dinner, Parliament House
Reports from Director Corporate Services

Wednesday, 28 November

9.00am General Assembly in Plenary Session (Resolutions)
10.00am Keynote Address – Mr Peter Kenyon, Bank of IDEAS
11.00am Presentation of Local Government Awards
   - The Heart Foundation Kellogg Local Government Awards
   - Steel Can Recycling Council
11.30am Closing Ceremony
12.00pm Lunch
1.00pm Annual General Meeting

Financial Implications

Registration
   Early Bird $675.00
   Standard  $725.00
Accommodation between $90 and $225 per night
Flight $778.80

2001/2002 Budget Allocation
Allocation $23,100.00
Expenditure to date $608.00
Balance $22,492.00
12. ORIGIN: General Manager

FILE REF: Public Holidays

REPORT TITLE:

Tweed River Jockey Club - Half Day Holiday for Melbourne Cup

SUMMARY OF REPORT:

As a result of Council's resolution of 20 June 2001, a survey was conducted through the Tweed Link which resulted in 418 replies being received by the closing date of 17 July with 248 votes for the half day holiday and 170 votes against the proposal.

RECOMMENDATION:

That Council determines this report.
Reports from Director Corporate Services

REPORT:

Council, at its meeting of 20 June 2001, resolved that:-

1. Council advertises in the Tweed Link that it is considering gazetting a ½ day holiday for the township of Murwillumbah for Melbourne Cup Race Day, from 12 noon on 6 November 2001 and invites feedback from the Community by 31 July 2001.

2. The General Manager brings forward a report on the cost to ratepayers associated with Tweed Shire Council staff being granted ½ day holiday for Melbourne Cup Race Day, from 12 noon on 6 November 2001, and other possible impacts.

A survey was conducted through the Tweed Link which resulted in 418 replies being received by the closing date of 17 July 2001.

Two hundred and forty eight (248) voted for the half day holiday and one hundred and seventy (170) voted against the proposal. While there was virtually no comment occupying the “Yes” vote, there were many comments with the “No” vote. Some suggested that there were already enough public holidays while others suggested it should be for the whole shire or not at all.

The cost to Council in the loss of production for a half day holiday would be approximately $32,000.

The case for and against as indicated in the Tweed Link were as follows:-

For
Expected to increase numbers attending the race day.

Boost to an industry worth $13 million to the Tweed. Being just 90 minutes from Eagle Farm, the Tweed offers tremendous potential as a race breeding and training area.

Many other towns such as Grafton, Lismore and the Gold Coast have a special holiday for local events. Melbourne Cup Day is the quietest afternoon’s trading in the year.

NOTE: The Department of Education does not allow schools or in fact any office connected with education to close for race day holidays. Murwillumbah Hospital would operate on public holiday staff arrangements.

Against
Lost production for Tweed Shire Council is estimated at $32,000.

The holiday would be restricted to Murwillumbah alone so businesses with offices in other parts of Tweed Shire may have problems. Boundaries for the declaration are west to Murwillumbah High School, south to Roadfield Equipment premises, east to Condong Bridge and north to the Murwillumbah Showground.

Businesses electing to remain open would need to pay staff penalty rates if under a State Award.

Employees granted a half-day holiday are not obliged to attend the races.
Reports from Director Corporate Services

13. ORIGIN: General Manager

    FILE REF: DA3488/12 Pt1, Art Gallery-General

REPORT TITLE:

Proposed Art Gallery

SUMMARY OF REPORT:

Reproduced in text of this report is a letter received requesting that "people's opinion" be sought regarding a new Art Gallery or at minimum, for a feasibility study to be carried out.

RECOMMENDATION:

    That Council determines this matter.
Reports from Director Corporate Services

REPORT:

Reproduced in text of this report is a letter received requesting that "people's opinion" be sought regarding a new Art Gallery or at minimum, for a feasibility study to be carried out.

“Dear Dr Griffin

This letter is written on behalf of many people (a petition is in progress) requesting you to mark the people’s opinion on whether or not a new Art Gallery is the people’s decision. It is my opinion that at the very minimum a feasibility study should be carried out.

Please, Dr Griffin, make it possible for the ratepayers to have their say before it is too late.”
Reports from Director Corporate Services

14. ORIGIN: Administration Services Unit

FILE REF: Councillors - Conferences

REPORT TITLE:

Invitation to a Local Government Workshop

SUMMARY OF REPORT:

The Northern Rivers Catchment Management Board has invited Council to attend a Local Government Workshop on Wednesday, 15 August 2001 at Invercauld House, Goonellabah.

RECOMMENDATION:

That any Councillor(s) interested in attending advise the Manager Administration Services, Mr Brian Donaghy.
Reports from Director Corporate Services

REPORT:

The Northern Rivers Catchment Management Board has invited Council to attend a Local Government Workshop on Wednesday, 15 August 2001 at Invercauld House, Goonellabah:

“….. Following our previous workshops in October 2000, and May 2001, it was agreed to hold a further workshop in August, as this is a critical stage of the Northern Rivers Catchment Management Board’s planning process. Unlike previous workshops, which included an update of the Northern Rivers Water Management Committee (NRWMC) and the Richmond Regional Vegetation Committee’s (RRVC) planning processes, this workshop will focus on updating Local Government staff, Councillors and State Agencies on the progress being made by the Northern Rivers Catchment Management Board (NRCMB).

There have been a number of new developments, which the Board wishes to update local government and state agencies on, including:

- Revised draft catchment and management targets following key stakeholder consultation;
- Proposed strategies and actions to achieve those targets;
- Identification of responsibilities and timeframes for completion of actions; and
- The processes being used to focus on priority areas.

Local Government and State Government Agencies have been identified as having major responsibilities in the implementation of the Catchment Management Plan. It is therefore considered essential for your involvement in this stage of the process, as formal sign-off of the plan will be required when it is forwarded to the Minister in early October for approval. The attached sheet summarises responsibilities for your organisation identified in the draft plan.

The draft plan is currently undergoing stakeholder consultation (including local government) with feedback sought by 7 September 2001.”

Attached is a copy of the “Summary – management action responsibility for Local Government Northern Rivers Catchment Management Plan”
Reports from Director Corporate Services

15. ORIGIN: General Manager

FILE NO: Quarterly Report

REPORT TITLE:

Quarterly Corporate Report

SUMMARY OF REPORT:

The Quarterly Corporate Report covering the period to 1 April 2001 to 30 June 2001 is presented for Council's information.

RECOMMENDATION:

That this report be received and noted.
Reports from Director Corporate Services

REPORT:

In accordance with Section 407 of the Local Government Act the General Manager must report to Council each quarter as to the extent to which the performance targets set by the Council’s current Management Plan have been achieved during that quarter.

The Quarterly Corporate Report is still being progressively redeveloped to provide progress feedback on designated priorities within the principal activity categories as specified in the Management Plan 2000-2003. These Quarterly Reports will be combined at the conclusion of the financial year and included in the annual report to the Department of Local Government, Council and the community.
Reports from Director Corporate Services

Activity: 1. Corporate Support

1. **Objective:**

   To provide sound management of the resources of Council, representative and responsive government, meet statutory requirements and provide services to the organisation in the most cost effective and timely manner.

2. **Activity Resources Summary:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$1,300,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$6,404,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>64 Persons</td>
</tr>
</tbody>
</table>

3. **Priorities:**

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify and select software application to replace existing unsupported corporate software.</td>
<td>Investigation continuing, evaluation taking place. Approval given by Council – awaiting finalisation</td>
</tr>
<tr>
<td>Review management structure.</td>
<td>Complete.</td>
</tr>
<tr>
<td>Review performance management programs.</td>
<td>Results of review being considered.</td>
</tr>
<tr>
<td>Develop financial management strategy to maximise grants and financial resource performance.</td>
<td>Grant applications submitted by due dates – indicators updated.</td>
</tr>
<tr>
<td>Ensure that income and expenditure comply with the new Goods and Services Tax (GST).</td>
<td>BAS submitted each month – review and update of GST payment procedures.</td>
</tr>
</tbody>
</table>

4. **Key Performance Criteria:**

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council permanent full time equivalent staff.</td>
<td>457</td>
<td>460</td>
<td>465</td>
<td>465</td>
</tr>
<tr>
<td>Average rate per residential Assessment.</td>
<td>$508</td>
<td>$526</td>
<td>$540</td>
<td>$540 est.</td>
</tr>
<tr>
<td>The unrestricted current ratio (measure of liquidity).</td>
<td>1.50</td>
<td>1.54</td>
<td>1.54</td>
<td>1.54</td>
</tr>
<tr>
<td>Debt service ratio (measure of extent of debt servicing on operating revenue).</td>
<td>13%</td>
<td>13.8%</td>
<td>12.5%</td>
<td>12.59%</td>
</tr>
<tr>
<td>Average interest rate paid.</td>
<td>7.4%</td>
<td>7.5%</td>
<td>7.0%</td>
<td>7%</td>
</tr>
<tr>
<td>Council dependence on rates.</td>
<td>47%</td>
<td>43%</td>
<td>43%</td>
<td>43%</td>
</tr>
</tbody>
</table>

   | Tweed Shire Council Performance Indicators |                   |           |           |             |
   |--------------------------------------------|                   |           |           |             |
   | Occupational Health and Safety program results in reduced lost time accidents. | 64             | 57        | 54         | 47          |
   | Workers compensation premium costs per employee. | $2,230           | $2,220    | $2,210    | 2,830       |
   | Rating review completed by Council.         | 100%            | 100%      | 100%      | being       |
   | Statutory financial statements - completed by due dates: AAS27 & Budget reviews. | Mar '99         | Mar '00   | Mar '01   | Work prepared |
   | Levy & issue of rates - $30M+               | July 98          | Nov 00    | est. Nov 01 | Work ongoing |
   |                                            | July 99          | July 00   |            | Completed by due date |

   THIS IS PAGE NO 103 OF THE MINUTES OF THE MEETING OF TWEED SHIRE COUNCIL HELD WEDNESDAY 1 AUGUST 2001

CHAIRMAN
Activity: 2. Economic Development

1. Objectives:

To encourage economic growth that enhances the standard of living of residents through the operation of key economic business activities and the promotion of a wide range of development opportunities through the Council sponsored economic development agencies and festivals.

2. Activity Resources Summary:

<table>
<thead>
<tr>
<th>Resources</th>
<th>Assets</th>
<th>Estimated Expenditure 2000/2001</th>
<th>Staff (Equivalent Full Time Staff)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ Nil</td>
<td>$ 730,000</td>
<td>10 Persons</td>
<td></td>
</tr>
</tbody>
</table>

3. Priorities:

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Pursue integration of Tweed economic development agencies.</td>
<td>Partially completed.</td>
</tr>
<tr>
<td>• Develop Tweed economic indicator model.</td>
<td>Economic development strategy to be commenced in April</td>
</tr>
<tr>
<td>• Assist in the investigation of lands suitable for enterprise activities.</td>
<td>Industrial Land Commercial Assessment completed October 2000.</td>
</tr>
</tbody>
</table>

4. Key Performance Criteria:

<table>
<thead>
<tr>
<th>Dept Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tweed Shire Council Performance Indicators</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• TEDC reports quarterly on achieving performance targets.</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>Underway</td>
</tr>
<tr>
<td>• Tweed Economic Activity Indicators</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

THIS IS PAGE NO 104 OF THE MINUTES OF THE MEETING OF TWEED SHIRE COUNCIL HELD WEDNESDAY 1 AUGUST 2001
Reports from Director Corporate Services

Activity: 3. Business Undertakings

1. **OBJECTIVE:**

   To manage, develop and promote Council’s interests in a sound commercial manner, yet continue to provide cost effective community services.

2. **ACTIVITY RESOURCES SUMMARY:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Assets</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$2,600,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>4 Persons</td>
</tr>
</tbody>
</table>

3. **PRIORITIES:**

   **2000 / 2003 Priorities**

   - Formulate strategies (achieving highest and best use action plans) for development of Council property and Crown land of which Council is Trust manager, and land investment funds.

<table>
<thead>
<tr>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participating in Coastal Hazards Definition project to determine development constraints upon both Council and Trust land. Results expected July/August 2001.</td>
</tr>
</tbody>
</table>

4. **KEY PERFORMANCE CRITERIA:**

   **Dpt Local Government Performance Indicators**

<table>
<thead>
<tr>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
</table>

   **Tweed Shire Council Performance Indicators**

   | Rate of return from Caravan Parks income for Crown Reserve maintenance. | 17.5% | 17.5% | 20% | 21% |
   | Airfield rent receipts by not less than CPI. | 1% | 2% | 2% | 33% | 40% |
   | Net operating cashflow as a percentage of total income | 33% | 55% | 57% | 57% |
Reports from Director Corporate Services

Activity: 4. Development/Building Control

1. **Objective:**

   To facilitate the development and use of land within the legislative framework and achieve quality of development and environment commensurate with community expectations and which is environmentally sustainable.

2. **Activity Resource Summary:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>Nil</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$2,515,910</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>27 Persons</td>
</tr>
</tbody>
</table>

3. **Priorities:**

   **2000 / 2003 Priorities**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effectively Implement the new Tweed Shire Local Environmental Plan 1998 (When Gazetted).</td>
<td>Achieved/ongoing.</td>
</tr>
<tr>
<td>Develop a protocol for all stakeholders for assessment processes and decision making.</td>
<td>Consultative Group appointed – meeting to be organised.</td>
</tr>
<tr>
<td>Progressively improve quality of physical, social and economic outcomes resulting from Development Assessment decisions.</td>
<td>Ongoing.</td>
</tr>
<tr>
<td>Optimise the quality of public infrastructure through development assessment to maximise public safety and minimise operating costs.</td>
<td>Ongoing.</td>
</tr>
<tr>
<td>Continuous review of the effectiveness of assessment processing.</td>
<td>Ongoing.</td>
</tr>
<tr>
<td>Establish service level agreements / protocols with building agencies.</td>
<td>Commenced but not completed.</td>
</tr>
<tr>
<td>Promote Council services within the competitive environment.</td>
<td>Ongoing.</td>
</tr>
</tbody>
</table>

4. **Key Performance Criteria:**

   **Dpt Local Government Performance Indicators**

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean turnaround time (days) for development applications.</td>
<td>42</td>
<td>40</td>
<td>40</td>
<td>39</td>
</tr>
<tr>
<td>Median turnaround time (days) for development application.</td>
<td>33</td>
<td>30</td>
<td>30</td>
<td>29</td>
</tr>
<tr>
<td>Median turnaround time (days) for development applications (building).</td>
<td>18</td>
<td>18</td>
<td>18</td>
<td>22</td>
</tr>
<tr>
<td>Mean turnaround time (days) for development applications (building).</td>
<td>28</td>
<td>28.5</td>
<td>28</td>
<td>27</td>
</tr>
</tbody>
</table>

   **Tweed Shire Council Performance Indicators**

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Actual</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Control - cost per capita per annum.</td>
<td>$38</td>
<td>$38</td>
<td>$38</td>
<td>$35</td>
</tr>
<tr>
<td>Quality of public infrastructure created through development minimises defects and operating costs.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Legal costs as a percentage of Development Services budget.</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>1.4%</td>
</tr>
<tr>
<td>Legal costs as percentage of building control budget.</td>
<td>1.5%</td>
<td>1.5%</td>
<td>1.5%</td>
<td>0.6%</td>
</tr>
<tr>
<td>Mean turn around time for Construction Certificates.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9 est</td>
</tr>
</tbody>
</table>
Reports from Director Corporate Services
Reports from Director Corporate Services

Activity: 5. Strategic Planning

1. OBJECTIVE:

To formulate sustainable policies and strategies for the Tweed which ensure quality outcomes for the balance between development, environmental conservation, and sound social, economic and community development.

2. ACTIVITY RESOURCES SUMMARY:

<table>
<thead>
<tr>
<th>Resources</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$ Nil</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$ 710,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>9 Persons</td>
</tr>
</tbody>
</table>

3. PRIORITIES:

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Complete comprehensive review of Tweed Shire 2000+ Strategic Plan.</td>
<td>Not yet commenced.</td>
</tr>
<tr>
<td>• Complete second stage review of Tweed Local Environmental Plan.</td>
<td>Rural Housing component prepared, subject to consideration by LEP Advisory Committee.</td>
</tr>
<tr>
<td>• Monitor and complete comprehensive review of all Development Control Plans and Developer Contribution Plans.</td>
<td>Underway.</td>
</tr>
<tr>
<td>• Complete an integrated planning framework embodying the Tweed 2000+ Strategic Plan, Shire Local Environment Plan and other Locality Plans for strategic areas of the Shire; Kings Forest, Kings Beach, West Pottsville, West Kingscliff, Fingal, Murwillumbah and Terranora.</td>
<td>First stage LEP review completed, locality plans for Kingscliff, Pottsville, Tweed Heads complete. Elements of LEP Review complete – Rural Settlement and Agriculture classification.</td>
</tr>
</tbody>
</table>

4. KEY PERFORMANCE CRITERIA:

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tweed Shire Council Performance Indicators</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Complete review of Tweed Shire 2000+ Strategic Plan</td>
<td>-</td>
<td>-</td>
<td>Dec 2000</td>
<td>Not complete</td>
</tr>
<tr>
<td>• Submit Draft Shire LEP Stage 2 to DUAP.</td>
<td>-</td>
<td>-</td>
<td>Jun 2001</td>
<td>Not complete</td>
</tr>
<tr>
<td>• Complete Kings Forest LEP amendments, DCP and Section 94 Developer Contribution Plans.</td>
<td>-</td>
<td>-</td>
<td>Sep 2000</td>
<td>Council resolved to take no further action</td>
</tr>
<tr>
<td>• Implement action on industrial land planning program</td>
<td>-</td>
<td>-</td>
<td>Jun 2001</td>
<td>Complete</td>
</tr>
</tbody>
</table>
Reports from Director Corporate Services

Activity: 6. Environment

1. **Objective:**

   To ensure that development within the Tweed Valley is sensibly balanced with the protection of the natural environment.

2. **Activity Resources Summary:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$2,378,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>2 Persons</td>
</tr>
</tbody>
</table>

3. **Priorities:**

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support the principles of Ecologically Sustainable Development throughout Council activities.</td>
<td>Ongoing.</td>
</tr>
<tr>
<td>Council contribution of environmental improvement through the Sustaining the Tweed (Agenda 21) Program.</td>
<td>Ongoing.</td>
</tr>
<tr>
<td>Implement activities identified in the Estuary Management Plan.</td>
<td>Ongoing, subject to grant allocations. No grants to date for 2000/2001</td>
</tr>
<tr>
<td>Ensure implementation of the new Water Management Legislation as it is appropriate to the needs of the Tweed.</td>
<td>Participation in Water Management Committee and review of legislation</td>
</tr>
<tr>
<td>Accelerate the completion of the Coastal Hazards Study.</td>
<td>Draft report due May 2001</td>
</tr>
<tr>
<td>Finalise Council’s agreement to the Coastal Management Plan.</td>
<td>Allocation required in budget to seek matching funds from DLWC</td>
</tr>
</tbody>
</table>

4. **Key Performance Criteria:**

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenditure on environmental management per capita.</td>
<td>$35</td>
<td>$33</td>
<td>$33</td>
<td>$20</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tweed Shire Council Performance Indicators</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>First phase of “Sustaining the Tweed - Agenda 21” implemented.</td>
<td>-</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>
Activity: 7. Health and Community Protection

1. **Objective:**

   To provide a safe and healthy environment with access to a high standard of facilities and preventative programs which ensures the health and well-being of residents and visitors to the Shire.

2. **Activity Resources Summary:**

```
<table>
<thead>
<tr>
<th>Resources</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$1,300,000</td>
</tr>
<tr>
<td>Estimated Expenditure</td>
<td>$7,334,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>27 Persons</td>
</tr>
</tbody>
</table>
```

3. **Priorities:**

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Implement environmental management plans for waste depots.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>• Progress compliance with the DDA requirements.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>• Continue surveillance of food premises.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>• Continue public toilet upgrade.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>• Continue coordination of Tweed Local Disaster Plan</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

4. **Key Performance Criteria:**

```
<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Recycling collection per capita.</td>
<td>46kg</td>
<td>45kg</td>
<td>45kg</td>
<td>48kg</td>
</tr>
<tr>
<td>• Domestic waste collection per capita.</td>
<td>230kg</td>
<td>242kg</td>
<td>242kg</td>
<td>253</td>
</tr>
<tr>
<td>• Cost for domestic waste collection per service.</td>
<td>$90</td>
<td>$95</td>
<td>$100</td>
<td>$85</td>
</tr>
<tr>
<td>• Average residential garbage charge per service.</td>
<td>$131</td>
<td>$138</td>
<td>$144</td>
<td>$142</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tweed Shire Council Performance Indicators</th>
<th>%</th>
<th>%</th>
<th>%</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The percentage of infants (under 21 months) who have been immunised (benchmark 87%).</td>
<td>78%</td>
<td>80%</td>
<td>80%</td>
<td>-</td>
</tr>
<tr>
<td>• Garbage landfill intake meets State Government waste minimisation target of 36,400 tonnes by Year 2000.</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>-</td>
</tr>
<tr>
<td>• Community Companion Animal Management Committee established.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>
```
Reports from Director Corporate Services

Activity: 8. Recreation

1. **OBJECTIVE:**

   To provide high quality open space and range of recreation facilities which meet the widest practical range of activities and passive recreational needs and expectations of the community in a cost effective and efficient manner.

2. **ACTIVITY RESOURCES SUMMARY:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>58,000,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>4,190,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>70 Persons</td>
</tr>
</tbody>
</table>

3. **PRIORITIES:**

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of Tweed Regional Botanic Gardens.</td>
<td>Economic feasibility study being progressed.</td>
</tr>
<tr>
<td>Develop Arkinstall Park and South Tweed Sports Fields to a regional sporting facility.</td>
<td>Lights installed at Ron Wilkinson Fields.</td>
</tr>
<tr>
<td></td>
<td>Irrigation installed at Dave Burns Fields.</td>
</tr>
<tr>
<td>Rehabilitate and develop Sutherland Point.</td>
<td>Awaiting construction of toilet facilities.</td>
</tr>
<tr>
<td>Develop land at Cabarita - Round Mt sports facility including skate park.</td>
<td>Negotiations underway with DLWC &amp; NPWS for additional land for sportsfields.</td>
</tr>
<tr>
<td></td>
<td>Skatepark Steering Committee formed.</td>
</tr>
<tr>
<td>Establish system of central control of all Council’s irrigation areas.</td>
<td>Enquiries as to most appropriate system being made.</td>
</tr>
<tr>
<td>Develop extensive passive open space facilities in Council reserve on Amaroo Park and Darlington Dve. Banora Point.</td>
<td>Pending Open Space negotiations with Bradshaws at Banora Point (Lake Kimberly).</td>
</tr>
<tr>
<td>Expand and Develop park area at Norries Headland.</td>
<td>Headland boardwalk completed.</td>
</tr>
<tr>
<td>Develop Murwillumbah Public Pool to regional standard.</td>
<td>Pursue funding to upgrade Murwillumbah pool.</td>
</tr>
</tbody>
</table>

4. **KEY PERFORMANCE CRITERIA:**

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net expenditure on recreation per capita/ per annum.</td>
<td>$42</td>
<td>$43</td>
<td>$43</td>
<td>$50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tweed Shire Council Performance Indicators</th>
<th>100%</th>
<th>100%</th>
<th>100%</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance with safety checks under Council’s SDI schedule.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>All parks and facilities managed in accordance with Strategic Asset Management Program.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>
Activity: 9. Emergency Services Support

1. OBJECTIVE:

   To assist in the protection of the individual and minimise damage to property under threat from natural forces and/or external hazard.

2. ACTIVITY RESOURCES SUMMARY:

<table>
<thead>
<tr>
<th>Resources</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$1,900,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$938,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>2 Persons</td>
</tr>
</tbody>
</table>

3. PRIORITIES:

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implement Fire Management Plan.</td>
<td>To be submitted to BushFire Management Committee January 2001. If ratified, it will be placed on public exhibition for six (6) weeks. Mapping and formatting is currently being finalised by Council’s contractor Ecograph.</td>
</tr>
</tbody>
</table>

4. KEY PERFORMANCE CRITERIA:

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tweed Shire Council Performance Indicators</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The percentage of emergency response times to rural fires greater than ten minutes.</td>
<td>10%</td>
<td>10%</td>
<td>10%</td>
<td>Review to be undertaken.</td>
</tr>
<tr>
<td>Review Tweed Shire Disaster Plan</td>
<td>-</td>
<td>-</td>
<td>Jun 2001</td>
<td></td>
</tr>
</tbody>
</table>
Reports from Director Corporate Services

Activity: 10. Community and Cultural Support

1. **Objective:**

To foster the development of a range of community facilities and services to meet the social, educational and cultural needs of the residents and visitors.

2. **Activity Resources Summary:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$18,300,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$4,833,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>6 Persons</td>
</tr>
</tbody>
</table>

3. **Priorities:**

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of the Tweed River Regional Art Gallery.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Development of community facilities at Pottsville, Bogangar and Banora Point.</td>
<td>Pottsville completed, Banora Point concept plans prepared.</td>
</tr>
<tr>
<td>Asses submissions of grant applications to increase community and cultural funding for the Tweed.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>Submit application for City of Arts funding for the next three years.</td>
<td>Submitted</td>
</tr>
</tbody>
</table>

4. **Key Performance Criteria:**

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library book borrowing per capita.</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>Library operating expenditure per capita.</td>
<td>$10.75</td>
<td>$12</td>
<td>$12</td>
<td>13.00</td>
</tr>
<tr>
<td>Community service expenditure per capita.</td>
<td>$5.53</td>
<td>$5.50</td>
<td>-</td>
<td>6.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tweed Shire Council Performance Indicators</th>
<th></th>
<th>100%</th>
<th>100%</th>
<th>10%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action plan for Disability Discrimination Act approved and commenced implementation.</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Activity: 11. Infrastructure Planning

1. **Objective:**

   To plan the provision of quality infrastructure which is customer focussed, well planned, cost effective and caters for the sustained growth of the Shire.

2. **Activity Resources Summary:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>Assets</th>
<th>Estimated Expenditure 2000/2001</th>
<th>Staff (Equivalent Full Time Staff)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ Nil</td>
<td>$ 1,274,000</td>
<td>21 Persons</td>
</tr>
</tbody>
</table>

3. **Priorities:**

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Implementation of Tweed Infrastructure Development Program.</td>
<td>Proceeding</td>
</tr>
<tr>
<td>• Implementation of DCP 39 - Stormwater Drainage.</td>
<td>Completed</td>
</tr>
<tr>
<td>• Review of the Tweed Roads Development Strategy with respect to the Coast Road and northern network modifications.</td>
<td>Deferred pending Lakes Drive bridge resolution.</td>
</tr>
</tbody>
</table>

4. **Key Performance Criteria:**

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tweed Shire Council Performance Indicators</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Develop S94 plans for infrastructure financing of drainage and bikeways by June 2001.</td>
<td>-</td>
<td>100%</td>
<td>-</td>
<td>100%</td>
</tr>
<tr>
<td>• Develop a cross divisional management policies for water quality control devices for development.</td>
<td>-</td>
<td>100%</td>
<td>-</td>
<td>100%</td>
</tr>
<tr>
<td>• Complete 2001/2002 works and survey program.</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>70%</td>
</tr>
</tbody>
</table>
Activity: 12. Transport and Drainage

1. **OBJECTIVE:**

   To provide a transport infrastructure system that allows safe, convenience and comfortable pedestrian and vehicular traffic movement to, from and within the Tweed Shire.

2. **ACTIVITY RESOURCES SUMMARY:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$323,000,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$19,476,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>148 Persons</td>
</tr>
</tbody>
</table>

3. **PRIORITIES:**

   **2000 / 2003 Priorities**

<table>
<thead>
<tr>
<th>Project Details</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upgrade Tweed Heads Works Depot.</td>
<td>Redesign being completed.</td>
</tr>
<tr>
<td>Implementation of adopted 2000-2003 drainage construction program.</td>
<td>See 1. below</td>
</tr>
<tr>
<td>Implement adopted bridge replacement program for 2000-2003. (Smiths Ck Bridge, Boatharbour Bridge, Russell Bridge, Quinns Bridge, Crystal Ck Bridge).</td>
<td>See 2. below</td>
</tr>
<tr>
<td>Implement adopted urban / rural road construction program for 2000-2003. (Brisbane St, Proundfoots Lane, Crescent St, Peninsula Dve, Pottsville Rd, Piggabeen Rd, Leddy’s Ck Road, Duranbah Rd, Tumbulguam Rd, Cudgen Rd.)</td>
<td>See 3. below</td>
</tr>
</tbody>
</table>

   **Note:** These works listed above only represent the key highlights of Council’s three year rolling capital works program.

**Comments**

<table>
<thead>
<tr>
<th>Project</th>
<th>Allocation</th>
<th>Current Expenditure</th>
<th>% Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Drainage Construction</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crescent Street</td>
<td>80,000</td>
<td>115,000</td>
<td>100</td>
</tr>
<tr>
<td>Tumbulguam Village</td>
<td>200,000</td>
<td>122,700</td>
<td>100</td>
</tr>
<tr>
<td>Palm Avenue</td>
<td>30,000</td>
<td>21,200</td>
<td>100</td>
</tr>
<tr>
<td>Elfran Avenue</td>
<td>50,000</td>
<td>65,500</td>
<td>100</td>
</tr>
<tr>
<td><strong>2. Bridge Construction</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Smiths Creek Bridge</td>
<td>500,000</td>
<td>602,000</td>
<td>100</td>
</tr>
<tr>
<td>Russell Bridge</td>
<td>215,000</td>
<td>122,000</td>
<td>60</td>
</tr>
<tr>
<td>Cobaki Culverts</td>
<td>50,000</td>
<td>105,000</td>
<td>100</td>
</tr>
<tr>
<td><strong>3. Road Construction</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Glenys/Marie Street</td>
<td>110,000</td>
<td>158,000</td>
<td>100</td>
</tr>
<tr>
<td>Broadwater Esplanade</td>
<td>195,000</td>
<td>149,000</td>
<td>100</td>
</tr>
<tr>
<td>Myrtle/Kurrrajong Street</td>
<td>120,000</td>
<td>119,000</td>
<td>100</td>
</tr>
<tr>
<td>Pumpenbil Road</td>
<td>120,000</td>
<td>115,000</td>
<td>100</td>
</tr>
<tr>
<td>Carool Road</td>
<td>100,000</td>
<td>148,000</td>
<td>100</td>
</tr>
<tr>
<td>Piggabeen Road</td>
<td>90,000</td>
<td>74,000</td>
<td>100</td>
</tr>
</tbody>
</table>
Reports from Director Corporate Services

<table>
<thead>
<tr>
<th>Road</th>
<th>Actual</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duranbah Road</td>
<td>120,000</td>
<td>87,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Cane Road</td>
<td>150,000</td>
<td>114,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Racecourse Road</td>
<td>75,000</td>
<td>54,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Dulguigan Road</td>
<td>105,000</td>
<td>97,500</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tyalgum Road</td>
<td>150,000</td>
<td>166,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Chinderah Road</td>
<td>150,000</td>
<td>74,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Kyogle Road</td>
<td>200,000</td>
<td>216,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Queensland Road</td>
<td>200,000</td>
<td>246,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Murraba Cres</td>
<td>112,000</td>
<td>64,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Murwillumbah St</td>
<td>141,000</td>
<td>182,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Moss St</td>
<td>180,000</td>
<td>138,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Anne St</td>
<td>110,000</td>
<td>144,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Machinery Drive</td>
<td>120,000</td>
<td>104,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Chittick St</td>
<td>86,800</td>
<td>65,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Coast Rd Service Rd</td>
<td>72,000</td>
<td>32,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Concrete Footpaths</td>
<td>150,000</td>
<td>150,000</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>McAllisters Road</td>
<td>150,000</td>
<td>122,000</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

4. **KEY PERFORMANCE CRITERIA:**

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 99/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road maintenance cost per km urban sealed roads.</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Road maintenance cost per km rural sealed roads.</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Road maintenance cost per km rural unsealed roads.</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tweed Shire Council Performance Indicators</th>
<th>Actual 99/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete annual bridge replacement program within time and budget.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>Reseed 20km rural roads within time and budget.</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>Asphalt re-sheet 46,000m² urban roads within time and budget.</td>
<td>46000</td>
<td>46000</td>
<td>46000</td>
<td></td>
</tr>
<tr>
<td>Construct footpaths within time and budget.</td>
<td>1.5km</td>
<td>1.5km</td>
<td>1.5km</td>
<td></td>
</tr>
</tbody>
</table>

* **Note:** These indicators have been suspended by the Dept. of Local Government.
Activity: 13. Water

1. **OBJECTIVE:**

   *To provide a high quality and reliable water supply that exceeds NHMRC Guidelines.*

2. **ACTIVITY RESOURCES SUMMARY:**

<table>
<thead>
<tr>
<th>Resources</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$ 165,000,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$ 16,243,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>31 Persons</td>
</tr>
</tbody>
</table>

3. **PRIORITIES:**

<table>
<thead>
<tr>
<th>2000 / 2003 Priorities</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Spillway upgrade strategy for Clarrie Hall Dam to meet new rainfall run-off criteria.</td>
<td>Preliminary concept adopted by Council. Detailed concept design – 2001</td>
</tr>
<tr>
<td>• Trunk main replacement Murwillumbah to Tumbulgum and Bogangar to Pottsville.</td>
<td>Scheduled 2001</td>
</tr>
<tr>
<td>• Design and construction of new reservoirs and pumping stations to meet growth demands.</td>
<td>Reservoir sites currently under negotiations</td>
</tr>
<tr>
<td>• Introduction of positive demand management program to achieve sustainable water management.</td>
<td>To be developed</td>
</tr>
<tr>
<td>• Review water pricing policy.</td>
<td>Component of 2001/2002 Management Plan</td>
</tr>
<tr>
<td>• Develop and adopt augmentation strategy for both treatment and conveyancing systems.</td>
<td>Current</td>
</tr>
</tbody>
</table>

4. **KEY PERFORMANCE CRITERIA:**

<table>
<thead>
<tr>
<th>Dpt Local Government Performance Indicators</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Average water account ($/Assessment).</td>
<td>$271</td>
<td>$262</td>
<td>$265</td>
<td>$265</td>
</tr>
<tr>
<td>• Total water operating costs ($/Assessment).</td>
<td>$154</td>
<td>$150</td>
<td>152</td>
<td>152</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tweed Shire Council Performance Indicators</th>
<th>99.6%</th>
<th>99.5%</th>
<th>99.5%</th>
<th>99.5%</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Compliance with 1996 NHRMC guidelines</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Activity: 14. Sewer

1. **OBJECTIVE:**
   
   To provide a high quality and reliable sewerage service adhering to environmental standards at an acceptable cost to customers.

2. **ACTIVITY RESOURCES SUMMARY:**

<table>
<thead>
<tr>
<th>Resources</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assets</td>
<td>$179,000,000</td>
</tr>
<tr>
<td>Estimated Expenditure 2000/2001</td>
<td>$27,543,000</td>
</tr>
<tr>
<td>Staff (Equivalent Full Time Staff)</td>
<td>37 Persons</td>
</tr>
</tbody>
</table>

3. **PRIORITIES:**

   **2000 / 2003 Priorities**
   
<table>
<thead>
<tr>
<th>Priority</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete construction of new sewerage treatment plant at Murwillumbah and design upgrades of Kingscliff, Hastings Point and Banora Point sewerage treatment plants.</td>
<td>Interim augmentation Kingscliff at draft final stage</td>
</tr>
<tr>
<td>Complete and commission augmented plant at Murwillumbah.</td>
<td>Completed</td>
</tr>
<tr>
<td>Augment capacity of Kingscliff Plant.</td>
<td>Detailed concept design at draft final stage</td>
</tr>
<tr>
<td>Finalise strategy for Kingscliff / South Kingscliff catchment.</td>
<td>Draft contract submitted to Gales Holdings</td>
</tr>
<tr>
<td>Complete design, documentation and approval for augmentation of Hastings Point Plant.</td>
<td>Detailed concept design completed. Proposal sought for final design.</td>
</tr>
<tr>
<td>Develop asset replacement program for Murwillumbah and Tweed Heads sewerage systems.</td>
<td>Current</td>
</tr>
<tr>
<td>Complete development and introduction of telemetry control of sewerage treatment systems</td>
<td>New system operational but subject to refinement.</td>
</tr>
</tbody>
</table>

4. **KEY PERFORMANCE CRITERIA:**

   **Dpt Local Government Performance Indicators**
   
<table>
<thead>
<tr>
<th>Performance Indicator</th>
<th>Actual 98/99</th>
<th>Est. 99/00</th>
<th>Est. 00/01</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average sewerage account ($/Assessment).</td>
<td>$420</td>
<td>$422</td>
<td>$425</td>
<td>425</td>
</tr>
<tr>
<td>Total sewerage operating costs ($/Assessment).</td>
<td>$197</td>
<td>$208</td>
<td>$212</td>
<td>212</td>
</tr>
</tbody>
</table>

   **Tweed Shire Council Performance Indicators**
   
<table>
<thead>
<tr>
<th>Performance Indicator</th>
<th>99%</th>
<th>99%</th>
<th>99%</th>
<th>99%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewerage operations comply with EPA licences.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Reports from Director Corporate Services
Reports from Director Engineering Services

16. ORIGIN: Planning & Design Unit

FILE REF: Roads – Closure-General, Land - Acquisitions

REPORT TITLE:
Policy on Road Closures & Private Purchase

SUMMARY OF REPORT:
Recent submissions for public road closures have drawn attention to shortcomings in the adopted Council policy. Some minor amendments are recommended.

RECOMMENDATION:

That Council adopts the amended road closure policy included in this report.
Reports from Director Engineering Services

REPORT:

Applications received over the past two years have drawn attention to the need to revise Council’s “Policy on Road Closures – Private Purchase”.

Some minor amendments have been drafted and are highlighted by both underlining and italicisation. Where applicable, the original notations follow the relevant amendments (in bold), otherwise the amendments are insertions in the policy reproduced below:-

“Tweed Shire Council

Policy on Road Closures & Private Purchase

PROCEDURAL NOTES FOR CLOSURE OF PUBLIC ROADS

• Applications for public road closures should be lodged with Council on the form available from the Engineering Services counter. Applications for Crown Public Road closures must be made through the Department of Land & Water Conservation, Grafton. In lieu of “Applications should not be in conflict with other Legislation.”

• This policy does not apply to road closure actions under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 for the purposes of the Roads Act, 1993 wherein roads are closed and granted as compensation for acquisitions.

• Application fees are as set out in Council’s current schedule of Fees and Charges. All costs are to be borne by the applicant, unless the road closure is associated with some form of previously agreed compensation.

• Fees received for applications which do not proceed to closure are non-refundable.

• Where a road separates different owners, the entitlement to purchase closed road is usually split between opposite owners on a negotiated basis.

• Where newly created parcels of closed road result in an existing title becoming land-locked or confer an extra building entitlement by virtue of Tweed LEP 2000, Council will request consolidation or restrictions on title to rectify these anomalies. In lieu of “For most eligible road closures it will be necessary to determine the extinguishment of Native Title before proceeding.”

• In all cases, the public may object to closures with final determination by the Department of Land and Water Conservation in consultation with Council.

Road Closure in this policy context refers to a change in the land title of land currently designated as “public road” (as distinct from the exclusion of vehicles from a public road under the Traffic Act). Closure may be full width or partial.

Public roads are closed under the provisions of the Roads Act 1993. There are several types of public roads in NSW:-

Public Roads are vested in fee simple in the Council of the relevant Local Government Area. Council is the Roads Authority for Public Roads even if the roads were constructed and dedicated by Authorities such as
Reports from Director Engineering Services

the Department of Housing, Public Works Department, Forestry Commission and National Parks and Wildlife Service. (Freeways which are vested in the Roads & Traffic Authority are excepted.)

Public Roads on which no construction as a road has taken place vest in the Crown upon closure.

Classified Roads, the proclaimed regional network, which are vested in Council, require Council and RTA approval for closure.

Crown Public Roads are vested in the Crown with the Department of Land and Water Conservation being the statutory body granting closure approval. Applications for the closure of Crown Public Roads are lodged with the Department. “The Department will notify Council of any application and will uphold any valid objection by Council to its closure”. In lieu of “the Department will not approve the closure of a Crown Public Road without Council’s consent and will uphold any valid objection by Council to its closure”.

Temporary Roads may be closed provided that the action will not isolate another road or property.

COMPENSATION

Compensation from the closure of constructed Public Roads and classified roads is payable to Council and can only be used for acquiring land for public road or carrying out works on public roads.

Compensation from the closure of unconstructed Public Roads or Crown Public Roads is payable to the Crown.

Compensation will be at the current market value as assessed by the Valuer General or State Valuation Offices.

ROADS NOT ELIGIBLE FOR CLOSURE

Applications for the closure and purchase of Public Roads and Crown Public Roads will not normally be supported in the following circumstances:

1. Roads providing, or capable of providing, physical access to rivers, creeks, lakes, beaches and their foreshores.
2. Roads capable of providing physical access to other roads, public and private properties, Public and Crown Reserves, public utility installations, railways and the like.
3. Road reserves containing wildlife corridors, significant flora, marketable timber and scenic escarpments, or potentially useful for vehicle turning, public utilities, extractive industries or public open space.
4. Road reserves containing public authority reticulation services unless the relevant authorities agree to their relocation or creation of easements.
5. Roads whose future highest and best use for Council is judged to be of more economic worth than the current land value.
6. Roads that could potentially be developed for vehicle, cycle, pedestrian or equestrian use as the Shire grows.
7. Roads used for the movement of stock.
8. Topographically difficult road reserves which might potentially be exchanged for a more negotiable corridor serving any of the above mentioned purposes.
Reports from Director Engineering Services

9. Roads where a proposed closure would interrupt or cause a step in the continuous boundary line of private frontages abutting the road (relates to consistent building setbacks, boundary fencing, utility offsets, and cumulative impact of successive closures).

Exceptions

1. Applications will be considered for closure of roads which are demonstrably redundant in terms of access if not otherwise ineligible. In lieu of “redundant in the above terms.”

2. Applications will be considered for closing road reserves where the proponent is opening a more negotiable corridor serving the same access role.

3. Where private structures have been permitted to permanently occupy public roads under lease arrangements Council’s “Policy for Private Structures on Public Roads” allows a closure and purchase providing the above restrictions are adequately addressed. In lieu of “Where Council’s “Structures on Public Roads” policy permits the permanent occupation of a public road under lease arrangements, consideration will be given to requiring closure and purchase providing the above restrictions are adequately addressed.”

4. Terrain where topographical constraints argue strongly for a more logical boundary definition for the purposes of road verge maintenance, safety, fencing, or private property access.”
Reports from Director Engineering Services

17. ORIGIN: Planning & Design Unit

FILE REF: R5980 Pt3

REPORT TITLE:

Proposed Subdivision - Wooyung Road, Crabbes Creek (Lot 13 DP 873331)

SUMMARY OF REPORT:

Council is the registered proprietor of Lot 13 in DP 873331, which is attached to Wooyung Road, Crabbes Creek, also abutting Lots 121 and 123 in DP 1003400.

The registered proprietors of Lots 121 and 123 have submitted a subdivision plan and s88B instrument with the intention of incorporating Lot 13 as a Right of Carriageway, of variable width, within the new deposited plan.

As Council is the registered proprietor of Lot 13, it is requested that Council endorse the plan and s88B instrument, and subsequently execute same under Common Seal of Council.

RECOMMENDATION:

That:-

1. Council, as registered proprietor of Lot 13 in DP 873331, endorses the plan of subdivision and s88B instrument.

2. The Mayor and General Manager sign the subdivision plan and s88B instrument under the Common Seal of Council.
Reports from Director Engineering Services

REPORT:

It appears that Council is the registered proprietor of Lot 13 in DP 873331, a residual roadside lot attached to Wooyung Road, Crabbes Creek, which also abuts Lots 121 and 123 in DP 1003400, see plan at the end of this report.

Although Lot 13 is owned by Tweed Shire Council, this lot is within Byron Shire Council as a result of a road realignment. It should be noted on the plan showing Lots 20 and 21 that Wooyung Road forms part of the shire boundary.

The registered proprietors of Lots 121 and 123 have submitted a subdivision plan and s88B instrument with the intention of incorporating Lot 13 as a Right of Carriageway, of variable width, within the new deposited plan. It should be noted that the plan and s88B are to be approved by Byron Shire Council as the parent property is within Byron Shire Council.

As Council is the registered proprietor of Lot 13, it is requested that Council endorse the plan and s88B instrument, and subsequently execute same under Common Seal of Council.

In due course Lot 13 will be transferred to Mr & Mrs Cole, the registered proprietors of Lots 121 and 123, to be consolidated with proposed Lot 21.

It should be noted that Lot 13 is on an existing right of way. There are no endangered or threatened flora or fauna.

Lot 13 is being transferred to Mr & Mrs Cole as a consequence of road realignment and in lieu of land acquired for road widening purposes. Therefore there will be no financial remuneration in this instance.

A copy of the s88B instrument follows:-
Reports from Director Engineering Services

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919

Plan: Subdivision of Lots 121 & 123 DP1003400 & Right of Carriageway Lot 13 DP873331 in the Parish of Billinudgel, County of Rous and covered by Shire Clerk’s Certificate No. 43/00

Full Name and Address of Proprietor of the Land

ROBERT JOHN COLE & ROBYNE LOUISE COLE both of Wooyung Road, Crabbes Creek and ROADS & TRAFFIC AUTHORITY OF NEW SOUTH WALES, 31 Victoria Street, Grafton and TWEED SHIRE COUNCIL, Tumbulgum Road, Murwillumbah

PART 1

Identity of Easement or Restriction firstly referred to in the abovementioned plan:

Right of Carriageway Variable Width

SCHEDULE OF LOTS AFFECTED

Lots Burdened

Lot 13 in DP873331

Lots, name of Road or Authority Benefited

Lots 20 and 21 & Lot 122 DP1003400

DATED at 13TH NOVEMBER day of 2000.

SIGNED by the said ROBERT JOHN COLE and ROBYNE LOUISE COLE in the presence of:

DARREN LEE BISHOP-HAMLYSIDE 3/19 PROSPER ST ROSELLE 2039

EXECUTED by the ROADS & TRAFFIC AUTHORITY NSW by its Delegate

NORTHERN REGION PURSUANT TO DELEGATION BOOK 4238 NO. 300.

RJA MD PESC J DDC

Robert Macfarlane
2 Barnier Ave
Junction Hill
Reports from Director Engineering Services
Reports from Director Engineering Services

INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919

Plan: Subdivision of Lots 121 & 123 DP1003400 & Right of Carriageway Lot 13 DP873331 in the Parish of Billinudgel, County of Rous and covered by Shire Clerk's Certificate No. 43/00

THE COMMON SEAL of TWEED SHIRE COUNCIL was affixed hereto on Pursuant to a resolution of Council passed at its meeting held on

Mayor

General Manager

3-8-00

Byron Shire Council Authorised Person

Mortgagee under Mortgage No. 225337
Signed at Sydney this 10th day of May 2001 for National Australia Bank Limited ABN 12 004 044 957
by LYNETTE IRENE CUNNINGHAM duly appointed Attorney under Power of Attorney No. 549 Book 3834

Manager

Witness: Bank Officer
255 George Street, Sydney NSW

Robert MacKailane
2, Barrie Ave
Bundamba, QLD 4304

EXECUTED BY MANAGER PROPERTY SERVICES,
NORTHERN REGION PURSUANT TO DELEGATION
BOOK 4218 NO. 768.
Reports from Director Engineering Services
Reports from Director Engineering Services
Reports from Director Engineering Services
Reports from Director Engineering Services
Reports from Director Engineering Services

18. ORIGIN: Planning & Design Unit
   FILE REF: DA5115/170 Pt2

REPORT TITLE:

Release of a Restriction on Use - Bilambil Road, Bilambil being Lot 24 in DP 858902

SUMMARY OF REPORT:

An application has been received to release a Restriction on Use created by DP 806503 within Lot 24 DP858902 Bilambil Road, Bilambil. The Restriction on Use restricts vehicular access to Bilambil Road from Lot 2 between given points on the boundary.

Council is the benefiting authority.

A new restriction is to be created which will comply with condition 21(3) of development consent K99/1542.

RECOMMENDATION:

That:-

1. Council approves the:-

   (a) Cancellation of the Restriction on Use created by DP 806503;

   (b) Creation of a replacement Restriction within Lot 2 as per condition 21(3) of the development consent K99/1542

2. All necessary documentation for registration at Land and Property Information be executed under the Common Seal of Council.
Reports from Director Engineering Services

REPORT:

An application has been received from B & P Surveys to cancel an existing Restriction on Use, created in DP 806503, with Council as the benefiting authority.

It is the applicant’s intention to create a replacement Restriction compliant with condition 21(3) of development consent K99/1542.

A copy of B & P’s letter is included in this report.
We refer to Tweed Shire Council's Development Consent Notice K99/1542 dated 3 November 2000 which grants approval for a two lot subdivision and the development of sporting fields and associated facilities.

The approved plan associated with the above mentioned Development Consent shows the proposed access point to the new sporting fields and the existing access point to the residue parcel (lot 1). However we note there is an existing access restriction covenant being a Restriction On Use created by DP 806503 restricting access to Bilambil Road which is in contradiction to the existing and proposed access points. Since this Restriction on Use (DP 806503) is in favour of Tweed Shire Council and seek council approval for it to be released.

We note a new restriction is to be created to comply with condition 21(3) of the development consent (copy enclosed).

Accordingly we enclose our client's cheque to the value of $120.50 being Council's prescribed fee. It would be most appreciated if an item can be added to the agenda of the next Council meeting for the release documentation to be signed by Council under seal as the benefitting owner.

Should you have any queries please contact the undersigned.

Yours faithfully,

B & P SURVEYS

P A WYPER

cc Bilambil JRLFC

Institution of Surveyors Australia - Queensland Division Excellence in Surveying Award 2001

SURVEYORS – DEVELOPMENT CONSULTANTS – URBAN DESIGN – PLANNERS – GIS

Brown & Partners Pty Ltd A.C.N. 010117536

DIRECTORS: Registered Surveyors (NSW) & Licensed Surveyors (QLD)

ASSOCIATE: OFFICES:

Philip A. Wyper, Bernard J. Nolan, Michael J. Farrel, Robert S. Harrison, Brian D. Robson
Andrew C. Smith: Registered Surveyor (NSW), Licensed Surveyor (QLD)
Tweed Heads, Suffolk Park, Murwillumbah.
Reports from Director Engineering Services

Plan: D.P. 806530

Full Name and Address of Registered Proprietor of the land:
Calrossie Pastoral Company Pty. Limited, P.O. Box 29, TERRANORA NSW 2486

1. Identity of Restriction firstly referred to in the abovementioned plan:

   Restriction on Use

   SCHEDULE OF LOTS ETC., AFFECTED

   Lot Burdened

   2

   Terms of Restriction on Use firstly referred to in the abovementioned plan:

   That vehicular access is denied across the Bilambil Road boundaries marked A to B and C to D on the abovementioned plan.

   The COMMON SEAL of CALROSSIE
   PASTORAL COMPANY PTY. LIMITED
   was hereunto affixed by
   authority of the Board of
   Directors in the presence of:

   DIRECTOR          SECRETARY

   Signed at Murwillumbah on the TENTH day of AUGUST 1990 for and on behalf of the Council of the Shire of Tweed.

   SHIRE CLERK

THIS IS PAGE NO 137 OF THE MINUTES OF THE MEETING OF TWEED SHIRE COUNCIL HELD WEDNESDAY 1 AUGUST 2001
Reports from Director Engineering Services
19. ORIGIN: Planning & Design Unit

FILE REF: GT1/S94/4 Pt4, Aged Services-SEPP Handicapped/Disabled Matters

REPORT TITLE:

Tweed Road Contribution Plan, SEPP5/Fast Food Outlets, Amendments

SUMMARY OF REPORT:

It is proposed to add trip generation rates for housing of older people or people with a disability (SEPP5) and rates for fast food outlets to the trip generation table of the TRCP. These land uses are not specifically covered in the current table and their inclusion will clarify the calculations for contributions in these areas. Draft version 4.4 of the Tweed Road Contribution Plan No 4 has been prepared to implement the change.

RECOMMENDATION:

That:--

1. Council adopts the draft Tweed Road Contributions Plan (Contributions Plan No 4 - Version 4.4) as a basis for exhibition and community discussion/consultation.

2. The draft plan Version 4.4 be exhibited as required by the Environmental Planning and Assessment Regulations to repeal and replace Version 4.3.
Reports from Director Engineering Services

REPORT:

1. BACKGROUND

The current version of Tweed Road Contribution Plan No 4 - Version 4.3 was adopted by Council on 20 September 2000 to include intersections at Kings Beach as local works, taking effect on 3 October 2000.

The Section 94A Direction that prohibited Councils from levying Section 94 contributions on State Environmental Planning Policy No. 5 (SEPP 5) - Housing for Aged or Disabled Persons was repealed on 3 May, 2001, enabling councils to levy Section 94 contributions for SEPP 5 developments. In conjunction with the repeal, the Department of Urban Affairs and Planning has released guidelines regarding the levying of contributions on housing for the aged and disabled, particularly in relation to the anticipated development creating a need for a particular public facility. These guidelines emphasise the nexus that is required between the new development and the need/demand for public services. In the TRCP the demand is based on the expected number of trips that will be generated from a development.

At present the TRCP contains a trip generation rate for conventional restaurants, but, there is no rate for the popular fast food (mostly chain/franchise) outlets that are characterised by: generic menus; quick turnover; high proportion of takeaway; and drive through capability. The proposed amendment will add a trip generation rate for this class of development.

2. PROPOSED SEPP5 GENERATION TRIP RATES

SEPP5 defines “housing for older people or people with disabilities” as “means residential accommodation which is or is intended to be used permanently as housing for the accommodation of older people or people with a disability which may consist of a residential care facility, a hostel or a grouping of 2 or more self-contained dwellings, or a combination of these, but does not include a hospital.”

The above definition three types of development:- 1 - Residential care facility:- 2 hostel and:- 3 self contained dwelling. These are further defined as:-

“residential care facility” means accommodation for older people that includes:

(a) meals and cleaning services, and
(b) personal care or nursing care, or both, and
(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care, not being a dwelling, hospital or psychiatric facility.

“hostel” means residential accommodation housing older people or people with a disability where cooking and dining, laundering, cleaning and other facilities are provided on a shared basis and where a person having nursing or social work experience or other similar experience provides services.
**Reports from Director Engineering Services**

“self-contained dwelling” means a dwelling or part of a building, whether attached to another dwelling or not, housing older people or people with a disability, where private facilities for cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part may be provided on a shared basis.

It is generally conceded that due to the age and retired characteristics of residents that SEPP5 development will have a lower trip generation rate than conventional housing or unit development. It is also conceded that where community/recreational facilities are provided on site that this will further reduce trip generation off the site.

Table 7.1 of the TRCP currently has the following trip generation rates for residential development:-

<table>
<thead>
<tr>
<th>No</th>
<th>Landuse</th>
<th>Daily Trip Rate</th>
<th>Unit per</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Detached Housing</td>
<td>6.5</td>
<td>Household</td>
</tr>
<tr>
<td>2</td>
<td>Unit Development</td>
<td>3.9</td>
<td>Unit</td>
</tr>
</tbody>
</table>

Given the demographic characteristics of SEPP5 development residents and the optional availability of onsite community facilities, the following concessional trip generation rates are proposed:-

<table>
<thead>
<tr>
<th>No</th>
<th>Landuse</th>
<th>Daily trip rate</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1a</td>
<td>Residential care facility</td>
<td>2</td>
<td>Occupant</td>
</tr>
<tr>
<td>2.1b</td>
<td>Hostel</td>
<td>2</td>
<td>Occupant</td>
</tr>
<tr>
<td>2.1c</td>
<td>Self contained dwelling with onsite community facilities (community meeting rooms, recreation/sports facilities, library/reading rooms etc)</td>
<td>2.5</td>
<td>dwelling</td>
</tr>
<tr>
<td>2.1d</td>
<td>Self contained dwelling, No onsite community facilities (apart from communal laundry, washing)</td>
<td>3</td>
<td>dwelling</td>
</tr>
</tbody>
</table>

**3. PROPOSED FAST FOOD OUTLET TRIP GENERATION RATES**

Table 7.1 of the TRCP currently has the following trip generation rate for restaurants:-

<table>
<thead>
<tr>
<th>No</th>
<th>Landuse</th>
<th>Daily Trip Rate</th>
<th>Unit per</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>Restaurant</td>
<td>60</td>
<td>100m² GLA</td>
</tr>
</tbody>
</table>
There is currently no specific rate for rate for popular fast food (mostly chain/franchise) outlets that are characterised by: generic menus; quick turnover; high proportion of takeaway; and drive through capability. The proposed trip generation rate for these fast food outlets (based on local traffic reports and RTA information) to be inserted into Table 7.1 is:-

<table>
<thead>
<tr>
<th>No</th>
<th>Landuse</th>
<th>Daily trip rate</th>
<th>Unit per</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.1</td>
<td>Fast food outlet with associated drive through capability</td>
<td>200</td>
<td>100m²GLA</td>
</tr>
</tbody>
</table>

Table 7.2 of the TRCP provides “Modification Factors” which make an allowance (deduction) for shared purpose journeys. The TRCP currently provides a modification factor of 0.8 for “Fast Food not included in shops”. It is proposed to replace this modification factor, to bring it into line with RTA experience, proposed rates are shaded, rates to be deleted are in strike through:-

<table>
<thead>
<tr>
<th>Category of Land Use</th>
<th>Modification Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast Food not included in Shops</td>
<td>0.8</td>
</tr>
<tr>
<td>Fast food outlet with drive through facility</td>
<td>0.65</td>
</tr>
</tbody>
</table>

4. **Draft Version 4.4 Amendments to Section 94 Contribution Plan No. 4 - Tweed Road Contribution Plan**

The following amendments are proposed for draft version 4.4 of the above plan:-

(a) Amend Table 7.1 - Trip Generation Rates by Land Use by inserting the following:-

<table>
<thead>
<tr>
<th>No</th>
<th>Landuse</th>
<th>Daily trip rate</th>
<th>Unit</th>
</tr>
</thead>
</table>
Reports from Director Engineering Services

2.1 Housing for older people or people with disabilities (SEPP5)

<table>
<thead>
<tr>
<th></th>
<th>Contribution Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Residential care facility 2</td>
</tr>
<tr>
<td>b</td>
<td>Hostel 2</td>
</tr>
<tr>
<td>c</td>
<td>Self contained dwelling with onsite community facilities (community meeting rooms, recreation/sports facilities, library/reading rooms etc) 2.5</td>
</tr>
<tr>
<td>d</td>
<td>Self contained dwelling, No onsite community facilities (apart from communal laundry, washing) 3</td>
</tr>
</tbody>
</table>

23.1 Fast food outlet with associated drive through capability 200 100m2GLA

(b) Amend Table 7.2 - Modification Factors, by deleting the following struck through item and adding the following shaded item:

<table>
<thead>
<tr>
<th>Category of Land Use</th>
<th>Contribution Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fast Food not included in Shops</td>
<td>0.8</td>
</tr>
<tr>
<td>Fast food outlet with drive through facility</td>
<td>0.65</td>
</tr>
</tbody>
</table>

(c) Amend “CONTRIBUTION PLAN No 4 VERSIONS/EDITIONS” by adding

“Draft Version 4.4 amends the trip generation rates table by the addition of rates for SEPP5 development and fast food outlets.”
Reports from Director Engineering Services
Reports from Director Engineering Services

20. ORIGIN: Planning & Design Unit

FILE REF: GT1/DCP/2 GT1/S94/23 Pt1

REPORT TITLE:

Amendments to Section 94 Contributions Plan for Site Access and Parking

SUMMARY OF REPORT:

It is proposed to amend Section 94 Contributions Plan No. 23 Offsite Parking to update the contribution rates for parking spaces that cannot be provided on the development site. The new rates reflect changes in land costs.

RECOMMENDATION:

That:-

1. Council adopts the Draft Section 94 Contributions Plan No. 23 – Offsite Parking Version 1.3 as a basis for exhibitions and community discussion/consultation.

2. The Draft Plan Version 1.3 be exhibited as required by the Environmental Planning and Assessment Regulations to repeal and replace Version 1.2
REPORT:

1. BACKGROUND

DCP 2 designates the number of parking spaces that must be provided for various classes of development. Where the site is unable to accommodate the designated number of parking spaces, Council may issue a development consent requiring section 94 contributions for the unsupplied spaces. CP23 enables contributions to be collected by Council to provide public car parking in lieu of provision on the development site and designates contribution rates.

Section 2.3 of CP23 provides guidelines for the purchase of land for car parking

“Due to the difficulties in accurately estimating demand in this plan it is proposed to adopt the following supply methodology

- The specific locations and sizes of public car parking areas will not be nominated in this plan (except for Fingal Head)
- The plan will include the criteria for the appropriate location of the facility, its estimated cost and other relevant factors (Section 94 Contributions Manual, Second Edition, Department of Urban Affairs and Planning, 1997, Section 4.4.2)
- The selection and purchase of specific sites for future construction as public carparking areas from contributions to this plan will be deferred until there are sufficient contributions in each area to purchase sites that comply with the criteria.
- Construction of public car parking facilities on purchased sites will be deferred until there are sufficient contributions to fund such construction or the rate of contributions is such that it warrants obtaining a loan to finance the construction.”

It is necessary to ensure contribution rates are kept up to date with current land values to:

- Ensure that the funds collected will be sufficient for future property purchases
- Ensure that contribution rates are not set at an artificially low level that would encourage under provision of car parking on the development site

The draft plan provides revised contribution rates that reflect recent land sales in each area. The draft plan also corrects an arithmetic error in the previous version that provided 30m² of land per parking space instead of the correct figure of 34.5m² of land per parking space.

2. COST OF LAND FOR CAR PARKING

The current (CP23 version 1.2) and proposed draft version 1.3 land valuations are shown in the following table:

<table>
<thead>
<tr>
<th>Location</th>
<th>Version 1.2 Cost/m² $</th>
<th>Proposed draft Version 1.3 Cost/m² $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tweed Heads</td>
<td>410</td>
<td>410</td>
</tr>
</tbody>
</table>
Reports from Director Engineering Services

<table>
<thead>
<tr>
<th>Area</th>
<th>Valuation 1</th>
<th>Valuation 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murwillumbah</td>
<td>220</td>
<td>285</td>
</tr>
<tr>
<td>Kingscliff</td>
<td>290</td>
<td>690</td>
</tr>
<tr>
<td>Bogangar/Cabarita Beach</td>
<td>270</td>
<td>308</td>
</tr>
<tr>
<td>Pottsville</td>
<td>245</td>
<td>340</td>
</tr>
</tbody>
</table>

These valuations have been adopted following an examination of land sales in the vicinity of each CBD.

3. **DRAFT VERSION 1.3, AMENDMENTS TO SECTION 94 CONTRIBUTION PLAN NO. 23 OFFSITE PARKING**

The following amendments are proposed for draft version 1.3 of the above plan.

(a) Amend “Summary of Contribution Rates by deleting:

   “SUMMARY OF CONTRIBUTION RATES

   **Current Contribution Rates per Unsupplied Car Parking Space**

   Tweed Heads              15,460  
   Murwillumbah             9,190   
   Kingscliff               11,500  
   Bogangar/Cabarita Beach  10,840  
   Pottsville               10,015  
   Fingal Head              3,366”

And substituting with:

   “SUMMARY OF CONTRIBUTION RATES

   **Current Contribution Rates per Unsupplied Car Parking Space**

   Tweed Heads              17,490  
   Murwillumbah             12,747  
   Kingscliff               28,116  
   Bogangar/Cabarita Beach  13,619  
   Pottsville               14,834  
   Fingal Head              3,366”
Reports from Director Engineering Services

(b) Amend part of 6.1 “Estimates of Costs” by deleting:

“6.1 ESTIMATES OF COSTS

Estimating rates

Construction costs (except Fingal Head)

<table>
<thead>
<tr>
<th>M2 per car parking space</th>
<th>30</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping area-per-space</td>
<td>3</td>
</tr>
<tr>
<td>Area of connecting pathway per-space</td>
<td>1.5</td>
</tr>
<tr>
<td>Car Parking construction cost per m2</td>
<td>50.00</td>
</tr>
<tr>
<td>Landscaping cost per m2</td>
<td>10.00</td>
</tr>
<tr>
<td>Footpath paving and roof cost per m2</td>
<td>150.00</td>
</tr>
</tbody>
</table>

Construction cost per space $30 \times 50 + 3 \times 10 + 1.5 \times 150 = 1,755$

Construction Costs – Fingal Head (to expand existing public car parking area)

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing car spaces</th>
<th>Ultimate additional spaces to be provided</th>
<th>Estimated cost to construct new spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tweed Heads</td>
<td>40</td>
<td>21</td>
<td>61,160</td>
</tr>
</tbody>
</table>

Construction cost per space $= 3,060$

LAND COSTS

(including valuation and acquisition costs)

<table>
<thead>
<tr>
<th>Location</th>
<th>Cost/m²</th>
<th>Cost/Space (30m²/space)</th>
<th>Construction Cost/Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tweed Heads</td>
<td>410</td>
<td>12,300</td>
<td>1,755</td>
</tr>
<tr>
<td>Murwillumbah</td>
<td>250</td>
<td>6,600</td>
<td>1,755</td>
</tr>
<tr>
<td>Kingscliff</td>
<td>250</td>
<td>8,700</td>
<td>1,755</td>
</tr>
<tr>
<td>Bogangar/Cab. Bch</td>
<td>270</td>
<td>8,100</td>
<td>1,755</td>
</tr>
<tr>
<td>Pottsville</td>
<td>245</td>
<td>7,350</td>
<td>1,755</td>
</tr>
<tr>
<td>Fingal-Head</td>
<td>0</td>
<td>0</td>
<td>3,060</td>
</tr>
</tbody>
</table>

CHAIRMAN
Reports from Director Engineering Services

And substituting with:-

“6.1 ESTIMATES OF COSTS

Estimating rates

Construction costs (except Fingal Head)

<table>
<thead>
<tr>
<th>M2 per car parking space</th>
<th>Landscaping area per space</th>
<th>Area of connecting pathway per space</th>
<th>Car Parking construction cost per m2</th>
<th>Landscaping cost per m2</th>
<th>Footpath paving and roof cost per m2</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>3</td>
<td>1.5</td>
<td>50.00</td>
<td>10.00</td>
<td>150.00</td>
</tr>
</tbody>
</table>

Construction cost per space = 30 x 50 + 3 x 10 + 1.5 x 150 = $1,755

Construction Costs - Fingal Head (to expand existing public car parking area)

<table>
<thead>
<tr>
<th>Existing car spaces</th>
<th>Ultimate additional spaces to be provided</th>
<th>Estimated cost to construct new spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>21</td>
<td>61,160</td>
</tr>
</tbody>
</table>

Construction cost per space = $3,060

<table>
<thead>
<tr>
<th>Location</th>
<th>Cost/m²</th>
<th>Cost/Space (34.5m²/space)</th>
<th>Construction Cost/Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tweed Heads</td>
<td>410</td>
<td>14,145</td>
<td>1,755</td>
</tr>
<tr>
<td>Murwillumbah</td>
<td>285</td>
<td>9,833</td>
<td>1,755</td>
</tr>
<tr>
<td>Kingscliff</td>
<td>690</td>
<td>23,805</td>
<td>1,755</td>
</tr>
<tr>
<td>Bogangar/Cab. Bch</td>
<td>308</td>
<td>10,626</td>
<td>1,755</td>
</tr>
<tr>
<td>Pottsville</td>
<td>340</td>
<td>11,730</td>
<td>1,755</td>
</tr>
<tr>
<td>Fingal Head</td>
<td>0</td>
<td>0</td>
<td>3,060</td>
</tr>
</tbody>
</table>

"
Reports from Director Engineering Services

(c) Amend part of 7.0 “Contribution Rates” by deleting:

7.0 CONTRIBUTION RATES

Contribution rates shall be calculated in accordance with the following formula

\[ C = (CC + LC) \times (100 + A)\% \]

where

\[ C = \text{amount of contribution per car parking space} \]

\[ CC = \text{Construction costs} \]

\[ LC = \text{Land costs} \]

\[ A = \text{Administration levy} \%(10\%) \]

**Current Contribution Rates per Unsupplied Car Parking Space**

Tweed Heads 15,460

Murwillumbah 9,190

Kingscliff 11,500

Bogangar/Cabarita Beach 10,840

Pottsville 10,015

Fingal Head 3,366

And substituting with:-

7.0 CONTRIBUTION RATES

Contribution rates shall be calculated in accordance with the following formula

\[ C = (CC + LC) \times (100 + A)\% \]

where

\[ C = \text{amount of contribution per car parking space} \]

\[ CC = \text{Construction costs} \]

\[ LC = \text{Land costs} \]

\[ A = \text{Administration levy} \%(10\%) \]

**Current Contribution Rates per Unsupplied Car Parking Space**

Tweed Heads 17,490

Murwillumbah 12,747
Reports from Director Engineering Services

Kingscliff 28,116
Bogangar/Cabarita Beach 13,619
Pottsville 14,834
Fingal Head 3,366
Reports from Director Engineering Services

21. ORIGIN: Planning & Design Unit
FILE REF: Bridges - Kynnumboon Bridge

REPORT TITLE:

Proposed Bridge over Rous River at Kynnumboon

SUMMARY OF REPORT:

A Concept Report for the Construction of a Replacement Bridge over the Rous River at Kynnumboon has been received from the RTA. The report details four options.

All options, except for Option 1 are in the same general location as the existing timber truss and temporary bridges. Option 1 proposed a new river crossing approximately 150m downstream of the existing bridge. Construction of a new two lane concrete bridge in this location would involve an extension of Queensland Road across the river to join at Tomewin Road.

The roadworks proposed for this option would involve a new “T” intersection of Numinbah Road and the extension of Queensland Road located north east of the Lisnagar Homestead.

This option is the same as that adopted by Council previously, except that instead of keeping the timber truss bridge as a bikeway, it is now proposed to demolish this structure.

Option 3 is recommended as the preferred option. It involves demolishing the old timber truss bridge, constructing a new 3 span concrete bridge 11m wide at the same location, while traffic continues to use the temporary 3 span single lane steel girder bridge alongside. The temporary bridge will then be removed.

RECOMMENDATION:

That Council concurs with preferred Option 3 in the Road and Traffic Authority’s Concept Report for construction of a replacement bridge over the Rous River at Kynnumboon.
Reports from Director Engineering Services

REPORT:

A Concept Report for the Construction of a Replacement Bridge over the Rous River at Kynnumboon has been received from the RTA. The report details four options.

All options, except for Option 1 are in the same general location as the existing timber truss and temporary bridges. Option 1 proposed a new river crossing approximately 150m downstream of the existing bridge. Construction of a new two lane concrete bridge in this location would involve an extension of Queensland Road across the river to join at Tomewin Road.

The roadworks proposed for this option would involve a new “T” intersection of Numinbah Road and the extension of Queensland Road located north east of the Lisnagar Homestead.

This option is the same as that adopted by Council previously, except that instead of keeping the timber truss bridge as a bikeway, it is now proposed to demolish this structure.

Option 3 is recommended as the preferred option. It involves demolishing the old timber truss bridge, constructing a new 3 span concrete bridge 11m wide at the same location, while traffic continues to use the temporary 3 span single lane steel girder bridge alongside. The temporary bridge will then be removed.

Following is a reproduction of the Concept Report:-
MAIN ROAD 143

NEW BRIDGE OVER ROUS RIVER

AT KYNNUMBOON

CONCEPT REPORT

Prepared by: Steve O’Rourke (Constructive Solutions Pty Ltd)
PO Box 1498 TAMWORTH NSW 2340

Reviewed by: Tony Wilson (Douglas Partners Pty Ltd)
PO Box 472 WEST RYDE, NSW 1685

June 2001
New bridge over Rous River at Kynamboon

TABLE OF CONTENTS

1.0 INTRODUCTION 2
1.1 Project Location and Details 2
1.2 Project Background 2

2.0 DESIGN ISSUES 3
2.1 Design Loading and Standards 3
2.2 Flood Immunity 4
2.3 Foundation Conditions 4

3.0 ENVIRONMENT AND COMMUNITY ISSUES 5
3.1 Community Issues 5
3.2 Environmental Issues 5

4.0 DESIGN OPTIONS 6
4.1 Options Developed 6
4.2 Comparison of Options 8
4.3 Preliminary Evaluation of Options 9

5.0 OPTION DEVELOPMENT 11
5.1 Community Consultation 11
5.2 Geotechnical Investigation 12

6.0 SUMMARY AND RECOMMENDATION 12

7.0 REFERENCES 15

APPENDICES
Reports from Director Engineering Services

1.0 INTRODUCTION

1.1 Project Location and Details

The bridge over the Rous River at Kynamboon is located on Main Road 143 2km north of Murwillumbah. The existing narrow timber truss bridge crosses the river, connecting Queensland Road, south of the river, to the junction of the Numinbah and Tomewin Roads, on the north of the river. The bridge is 70 metres long and 4.6 metres wide between kerbs. It is immediately adjacent to the heritage homestead known as "Lisnagar", which is a well-known local landmark and tourist attraction.

The timber truss bridge was closed to traffic in 2000 after erecting a temporary bridge for single lane traffic on the downstream side.

1.2 Project Background

The temporary bridge erected to carry cane traffic and heavy loads in 2000 was designed only to be a temporary measure. It has a number of deficiencies that make it unsuitable, in its present configuration, for permanent use. These include being one lane, having a design life of 5 years, a high maintenance cost and because the deck provides significant obstructions to the waterway of Rous River in medium floods.

The objective of this project is to prepare tender documents for a design and construct contract to build a new bridge and approaches and to remove the existing structure. This Concept Report sets out the design issues and proposes a preferred option. It also integrates the output of a number of other studies/reports including:

- Community Consultation (Appendix 1)
- Structural Feasibility Report (Appendix 2)
- Flood Study Report (Appendix 3)
- Draft Geotechnical Investigation Report (Appendix 4)
- Pavement Design Report (Appendix 5)
- Environmental Overview (separate report)
  (includes Heritage Study, Noise Study, Flora and Fauna Studies)
2.0 DESIGN ISSUES

There are a number of issues that impact on the selection of particular designs for this location. These include natural constraints such as the physical configurations of the site as well as “engineering” constraints such as those resulting from the underlying soil and rock strata. These design issues are set out and discussed in the following sections:

Environmental and Community based issues are discussed in Section 3.0 of this report.

2.1 Design Loading and Standards

The bridge is required to be designed to comply with the Austroads Bridge Design Code with the capacity to take the T44 Bridge Loading with the HLP320 point loading. It is to carry two lanes of traffic.

Road design is to generally comply with the RTA’s Road Design Guide. The prime objective of this project is the provision of a new crossing of the Rous River, it is not a road realignment project. Accordingly, whilst improvements in road geometry will be made where possible, the road works will be only those necessary to connect the new bridge into the existing road system.

Traffic counts (vehicles per day) available for the road network are:

<table>
<thead>
<tr>
<th>Road</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Queensland Road</td>
<td>3485</td>
</tr>
<tr>
<td>Tormewin Road (north of Kynamboon)</td>
<td>1606</td>
</tr>
<tr>
<td>Numinbah Road (at MR399 intersection)</td>
<td>1245</td>
</tr>
</tbody>
</table>

The Queensland Road figures are not applicable. It is conservative to use the aggregate of Tormewin and Numinbah Roads, as some traffic may continue in along this north-south route rather than travelling along Queensland Road. Tweed Shire Council suggested a proportion of 12% heavy vehicles for the purposes of pavement design. The Sugar Growers Co-operative Condong Mill was approached to obtain a more accurate estimate of heavy vehicles using the Kynamboon bridge.

The project is located within a 100km/hr speed zone, however the design speed for the project will not achieve 100km/hr. This is consistent with the overall speed environment, which is controlled by curves on both approaches that are signposted at 75km/hr. Detailed design should be based on 80km/hr.
Reports from Director Engineering Services

2.2 Flood Immunity

The project is located in a flood prone area. During moderate flooding, all approach roads are cut by flood waters.

The existing Allan Truss bridge was constructed well above high flood level and well above the height of the surrounding area. Anecdotal information indicates that the soffit height of the bridge was set at this height to allow the passage of cane barges.

In developing options for the replacement structure, a number of soffit levels have been examined. All of these options are well below a 1:100 flood immunity, hence the bridge will be designed as a “submerged bridge”. All options under consideration will exceed the flood performance of the temporary bridge now in use.

To assess the exact impact of low level flooding on the proposal, a Flood Study was undertaken. The effect of flooding in determining an appropriate waterway area for the new bridge is discussed in the Flood Study report and the Structural Feasibility Report (Appendices 2 & 3). A minimum soffit level of RL 4.1m is proposed for the new bridge to pass a 5 year return flood without being submerged.

2.3 Foundation Conditions

Geotechnical investigations (Appendix 4) have noted the presence of a layer of highly compressible soil under the site of the existing bridge. The treatment of this layer is detailed in further Section 5.2.

The founding material for the bridge consists of layers of alluvial deposits overlaying a dense gravel layer below about RL-13 to RL-18 across the river. Driven piles are recommended for all options, founding in the gravel layer.
Reports from Director Engineering Services

3.0 ENVIRONMENT AND COMMUNITY ISSUES

The project is located in a closely settled rural area. The area surrounding the bridge is alluvial flats, used largely for cane farming. The land on the eastern side rises up to the town of Murwillumbah, which is located 2km from the bridge site.

Camphor laurel rainforest regrowth occurs in a narrow band along both banks of the Rous River. It consists of mature trees to 20 metres in height with the occasional emergent eucalypt to 30 metres.

There are several residences in close proximity to the bridge. In addition, as the site is located close to Murwillumbah, there is a considerable volume of local traffic including school buses.

3.1 Community Issues

Community consultation has been undertaken during the development of the options for this project. This builds on earlier consultation undertaken by Tweed Shire Council in 1998 when they were then examining options for a new crossing over Rous River.

No particular concerns or issues had been raised during initial or previous consultation (see Appendix 1). The prevailing community attitude was in favour of a new crossing, with a desire to quickly replace the one lane temporary bridge which was perceived as being inadequate for the volume of traffic using the bridge.

3.2 Environmental Issues

The site is located amongst low lying alluvial flats which are known to contain acid sulphate soils. The corridor along the Rous River is heavily vegetated with rainforest regrowth. Accordingly any significant disruption to the site may have a significant impact on the natural environment.

The Geotechnical Investigation did not detect acid sulphate soil in 3 test pits (up to 3.6m deep) at the existing bridge site. This suggests a low likelihood of encountering acid sulphate soil at the site of the existing bridge, during normal construction activity.

The existing Allan Truss bridge has Heritage Significance both as an individual structure and as part of a Heritage Precinct that it forms in conjunction with the adjacent Lisnagar House.
Reports from Director Engineering
Services

New bridge over Rous River at Kynumboon

These issues are more fully detailed and discussed in the Environmental Overview.

4.0 DESIGN OPTIONS

After consideration of the design issues along with the environmental and community issues a number of options have been developed and assessed to determine the most effective replacement structure. All options, except for Option 1, are in the same general location as the existing timber truss and temporary bridges. This location will provide the most effective solution in terms of cost, as it maximises the use of the existing roads and it will have the least impact on the environment as it is using the existing corridor.

4.1 Options Developed

Option 1
This option proposes a new river crossing approximately 150 m downstream of the existing bridge. Construction of a new two lane concrete bridge in this location would involve an extension of Queensland Road across the river to join Tomewin Road.

The roadworks proposed for this option would involve a new “T” intersection of Numinbah Road and the extension of Queensland Road, located north-east of the Lisnagar homestead

This option is the same as that put forward by Council previously, except that instead of keeping the timber truss bridge as a bikeway, it is now proposed to demolish this structure.

Option 2
This option is to refurbish the existing timber truss bridge so that it is able to carry legal loads. It will involve both rehabilitation/replacement of existing timber components as well as strengthening to increase its capacity.

Option 3
This option is for a three span concrete bridge, designed for submerged conditions, on essentially the same horizontal alignment as the existing timber truss bridge. Three sub options have been developed under this one general scheme:

Option 3.1 – 3 x 15m spans, soffit level of RL 4.1 (Structural Report Option A2)
Option 3.2 – 3 x 18m spans, soffit level of RL 4.1 (Structural Report Option A1)
Option 3.3 – 3 x 20m spans, soffit level of RL 4.1

Option 4

CONCEPT REPORT
Reports from Director Engineering Services

New bridge over Rous River at Kynumboon

This option involves construction of a new bridge on the alignment of the existing temporary one lane bridge. The substructure of the temporary bridge is to be largely retained, although may be modified. Two sub options have been developed.

Option 4.1 – same span arrangement as the temporary bridge (7.82m, 8.02m, 10.66m, 8.02m, 7.82m. Construction would be in half width. Existing steel piles may need to be concrete encased.

Option 4.2 - same span arrangement as the temporary bridge (7.82m, 8.02m, 10.66m, 8.02m, 7.82m, with an additional 8m span at each end to increase the waterway area provided.
4.2 Comparison of Options

Set out below in Table 1 is a summary of key features of the options developed:

<table>
<thead>
<tr>
<th>Option Number</th>
<th>1</th>
<th>2</th>
<th>3.1</th>
<th>3.2</th>
<th>3.3</th>
<th>4.1</th>
<th>4.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of spans</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>5</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Total length (m)</td>
<td>68</td>
<td>45</td>
<td>54</td>
<td>60</td>
<td>42</td>
<td>58</td>
<td></td>
</tr>
<tr>
<td>Soffit RL (m)</td>
<td></td>
<td></td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
<td>4.1</td>
<td></td>
</tr>
<tr>
<td>Bridge unit rate</td>
<td>1350</td>
<td>1400</td>
<td>1350</td>
<td>1320</td>
<td>1950</td>
<td>1655</td>
<td></td>
</tr>
<tr>
<td>Bridge cost ($'000)</td>
<td>918</td>
<td>1627</td>
<td>695</td>
<td>802</td>
<td>872</td>
<td>924</td>
<td>1056</td>
</tr>
<tr>
<td>Road cost ($'000)</td>
<td>600</td>
<td>300</td>
<td>400</td>
<td>370</td>
<td>350</td>
<td>440</td>
<td>380</td>
</tr>
<tr>
<td>Demolition cost ($'000)</td>
<td>80</td>
<td>30</td>
<td>89</td>
<td>80</td>
<td>80</td>
<td>55</td>
<td>70</td>
</tr>
<tr>
<td>Design cost ($'000)</td>
<td>40</td>
<td>60</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>55</td>
<td>50</td>
</tr>
<tr>
<td>Initial cost ($'000)</td>
<td>1638</td>
<td>2017</td>
<td>1215</td>
<td>1292</td>
<td>1342</td>
<td>1474</td>
<td>1556</td>
</tr>
<tr>
<td>NPV of whole of life (100 year) costs for bridge maintenance ($'000)</td>
<td>63</td>
<td>2613*</td>
<td>42</td>
<td>50</td>
<td>56</td>
<td>45</td>
<td>54</td>
</tr>
</tbody>
</table>

Table 1

Notes:
1. Unit rates are expressed in $ per square metre of deck area
2. Road costs are generally based on a unit rate of $250/sqm, plus an allowance for additional embankment works where applicable.
3. The cost for this bridge has been increased and is based on a unit rate of $1,350/sqm. The cost in Council’s previous report was based on $1,003/sqm, which is not considered realistic.
4. The cost to restore the Allen truss bridge to carry traffic loading is based on GHD estimate to restore this bridge for use as a cycleway (without strengthening). This has been increased by 40% for strengthening to its original load-carrying capacity. An additional $0.5 million is also provided to improve its structural capacity to carry present day traffic loading, as a single lane bridge.
5. Demolition includes removal of the Allen truss bridge and the temporary bridge.
6. GHD’s NPV of whole of life cost of maintenance assumes that timber bridge is used as a pedestrian and cycle crossing only and can be closed for the duration of each major repair event. This would be unacceptable if the timber bridge was restored for use by road traffic.
7. NPV maintenance values for the truss bridge are based on 40% increase on the GHD estimate, to allow for extra deterioration under road traffic plus performing maintenance and repairs without closing the bridge.
8. For new bridge structures, $5/sqm/year has been allowed for routine maintenance plus $27,000 every 20 years for replacement of deck joint seals and concrete repairs.
Reports from Director Engineering Services

4.3 Preliminary Evaluation of Options

Option 1
This option has a high cost due to the more extensive roadworks required. It also requires the acquisition of 0.75ha of cane farming land for the road construction. It is likely that construction over this land may involve the disturbance of acid sulphate soils, whilst it will also require clearing of another corridor through the riparian vegetation, in addition to that near the existing bridge.

It will not have as high a degree of utilisation of the existing road assets as the other options and will also significantly alter the traffic paths throughout the Kynumboon area.

This option was developed when it appeared that the existing truss bridge would not be able to be demolished, however it now appears to have little benefit over options at the current bridge location.

Option 2
The option of refurbishing the existing timber truss bridge is feasible, though costly and will result in a one lane bridge on a poor alignment, with a high ongoing maintenance cost. The costs of refurbishing and maintaining the timber truss bridge for use as a cycleway have been evaluated in a detailed study by GHD (see references).

Whilst strengthening of the bridge can increase its structural capacity, its width is limited to the current 5.6m between kerbs. This narrow width allied with the poor vertical geometry and sight distance plus close proximity of the intersection results in a potentially unsafe combination for a permanent solution.

Option 3
These options all provide for new concrete bridges with a minimum span of 15m. This span width would allow for future recreational usage for Rous River and would provide for the easy passage of debris in times of flood.

The height of the soffit and the waterway area provided are key design elements. As discussed in Section 2.3, the level of service provided by this bridge should at least match that of the adjoining roads. Additionally, the waterway area provided should be sufficient to prevent any adverse inundation resulting from construction of the bridge.

Option 3 provides a higher level of service than the existing roads. The additional height of the bridge will provide no advantage, as motorists will not be able to get to it, as the approach roads will be inundated. The additional height of the bridge will result in higher approaches, which in turn may impact
Reports from Director Engineering Services

New bridge over Rous River at Kynumboon

on adjacent utilities on the southern side and may also encroach on the Twohill’s property.

Options 3.1, 3.2 and 3.3 provide for bridge lengths varying from 60m to 45m, with resultant cost savings, as a square metre of road is only about 18% of the cost of a square metre of bridge.

It will be important to position the central span symmetrically across the main river channel. Option 3.2 appears to be the most effective sub option as it provides a large span (18m) for future navigational requirements, gives sufficient waterway area and avoids locating abutments too close to the river, whilst minimising overall cost.

Option 4

The construction of a new bridge in the same location as the temporary bridge would necessitate using staged construction in order to provide for traffic during construction. Essentially a new “half bridge” would need to be constructed immediately upstream of the temporary bridge, traffic switched onto the new bridge, the temporary bridge superstructure demolished, substructure modified and the second half of the bridge built. This process is a costly exercise, with inherent OH&S risks and risks to the travelling public.

The resulting bridge will have limited navigational clearance (maximum span 10.66m) and will not facilitate the flow of debris in flood times. The construction of a number of piers in the river will increase the environmental impact of this option.

The potential utilisation of the existing steel pies and timber abutments of the temporary bridge would appear to be economically attractive. On closer examination however, the steel piles would need to be concrete encased to provide adequate long term performance in this aggressive environment and the timber abutments cannot be guaranteed to achieve a 100 year design life. In summary, although retention of the existing substructure may offer reduced initial costs, the life cycle costs are higher than if a traditional concrete substructure were used.

Given the above, Options 1 and 2 were discarded from further consideration in view of their high costs and poor long term performance. Options 3 and 4 are discussed in more detail in Section 5.0
Reports from Director Engineering Services

5.0 OPTION DEVELOPMENT

Options 3 and 4 above have been examined in detail and a detailed discussion is found in the Structural Feasibility Report (Appendix 2). This report compares the two options in regards to the following aspects:

- Soffit levels and flood impacts and immunity
- Span arrangements
- Substructure and foundations
- Superstructure
- Aesthetics
- Buildability
- Cost

The Structural Feasibility Report clearly favours Option 3, a three span bridge with span lengths of between 15 and 18m. Restricting the span length to about 18m will permit a smooth deck soffit, which provides lower 'drag' to floodwaters than a 20m Super-Tee or I-girder span deck.

5.1 Community Consultation

Options 3 and 4 were placed on public display at Tweed Shire Council on 8 May 2001. Notices advertising this public display were placed in the local press.

Key stakeholders were individually contacted to ascertain their views no the options displayed. These included local residents, representatives of the Sugar Industry and local buses and School Busses. A full list of those contacted and their responses is given in Appendix A.

The comments received can be summarised below:

- Option 3 was clearly the preferred option
- There was concern that, if option 4 were chosen, there would be adverse impacts on traffic if the construction occurred during the cane harvest season (July to December)
- There was overall acceptance of the design philosophy to construct the bridge at the soffit level of 4.1m. Some locals expressed the view that this level would exceed the flood study’s predicted level of service of a 1:5 year flood

No adverse comments were received for Option 3
5.2 Geotechnical Investigation

A detailed geotechnical investigation has been carried out on the site (Appendix 4).

The foundation conditions present no real problems for bridge construction, with a driven pile foundation system being the most appropriate. Concrete piles are expected to found in a dense gravel layer between RL-15 to RL-18.

A pavement design has been carried out and is attached to this report as Appendix 5. It recommends a pavement thickness of 500mm.

Of particular concern in the Geotechnical Report is the presence of a layer of highly compressible clay near the western abutment. This material does not have sufficient strength to safely support the weight of 2m high approach embankments extending closer to the river than the abutments of the old timber bridge. As the span length of the 3 span bridge is decreased, the embankment height increases and the factor of safety of the bridge approach decreases.

It may be possible to improve the safety factor by designing abutment piles to resist the shear loading from the new embankments. Another option is to add an extra span onto the western end of the bridge. This will increase the overall cost of the project but will overcome the impact of the compressible clays. This span would be approximately 14m in length and would have the effect of moving the new abutment west to the location of the abutment for the existing truss bridge.

6.0 SUMMARY AND RECOMMENDATION

The RTA brief requires development of a suitable option for a design/construct contract.

Three options have been investigated to replace the 4.6 m wide timber truss bridge over the Rous River at Kynnumboon with an 11 m wide 2-lane bridge. A fourth option to refurbish and strengthen the existing bridge was also considered. (The 4 options are described in Section 4.1).

Option 3 is recommended as the preferred option. It involves demolishing the old timber truss bridge, constructing a new 3span concrete bridge 11 m wide at the same location, while traffic continues to use the temporary 3-span single lane steel girder bridge alongside. The soffit level of the new bridge would be set not lower than RL 4.1, which coincides with a 5-year return flood. The roads each side of the bridge will be out of service well before flooding reaches this level. The 3-span option suits the river channel,
Reports from Director Engineering Services

Minimises construction work in the river, will achieve a pleasing appearance and will not restrict navigation.

A layer of soft clay underlies the bridge site. If the new bridge length is shorter than the 70 m timber bridge, approach embankments will extend closer to the river and produce increasing risk of instability in the clay layer. It will probably be necessary to provide extra abutment piles to help resist lateral shear forces due to the pressure from the approach embankments. A minimum 15 m span length is recommended for safe passage of debris. However a 3/15 m span arrangement would require abutments close to the river and provide the highest risk of ground instability on both river banks.

An 18 m span length is about the maximum to provide a smooth deck soffit, which is preferred for passage of high level floods as a submerged structure. A 3/18 m span arrangement would permit abutments to be located 4.5 m further away from the river than 3/15 m spans, with a consequent reduction in the risk of ground instability.

3/20 spans would reduce the risk of ground instability such that only the eastern abutment would warrant an engineering solution to mitigate the risk of ground instability.

As shown in Clause 4.2, the 3/15 m span arrangement is expected to be the cheapest solution. In order to avoid relying too heavily on an engineering solution at the abutments to control the potential ground instability, the 3/18 m span option is favoured, even though it is estimated to cost about $75,000 more than the 3/15 m span option. From a whole-of-life perspective, there is an increased risk that the road approaches could lose their shape due to settlement, resulting in additional maintenance and pavement resurfacing.

Option 4 involves 2-stage construction and is estimated to cost $170,000 more than the 3/15 m span Option 3.1. It would provide 5 uneven span lengths (8-10 m), which are significantly shorter than the minimum recommended 15 m span for passage of debris. This is also more restrictive for navigation (2 vessels passing), requires more construction work in the river and involves more disruption to traffic.

The same ground instability issue applies as for Option 3. There is also a concern about whether the timber pile abutments for the temporary bridge would offer a 100 year design life.

Option 4 provides a less effective but more costly outcome than Option 3. It is recommended that Option 4 be discarded.

Steve O’Rourke
Constructive Solutions Pty Ltd

Tony Wilson
Douglas Partners Pty Ltd

Chairman
Reports from Director Engineering Services

New bridge over Rous River at Kynumboon

7.0 REFERENCES

Maintenance Schedule for Kynumboon Bridge
(prepared by GHD - March 2000).
Reports from Director Engineering Services

APPENDIX 1 - COMMUNITY CONSULTATION

Initial Consultation

Initial consultation was undertaken with Tweed Shire Council on 15 November 2000. Council was not aware of any particular community concerns.

Terry Twohill, adjacent landholder and operator of tours through Lisnagar House, was met on site on 15 November 2000. He welcomed the proposal to replace the bridge and related details of flood history, land use and local needs.

Advertisements were placed in the local press notifying the community that investigations for the replacement bridge were in progress and advising of contact numbers for the project team.

An email requesting details of the project was received from Elizabeth Neilson, who lives on Torewin Road. Details were supplied.

John Stainlay, adjacent landholder was contacted. John welcomed the proposal and mentioned that the truss bridge had, in the past, been used as a “safe haven” during flooding.

Option display

The two options that had been developed (Structural Report Options A & B) were put on public display at Tweed Shire Council on 8 May 2001. This was accompanied by advertisements in the local press, advising of the display.

Discussions were held with the following in relation to the options displayed:

John Tait (Sugar Growers Co-operative at Condong Mill). Welcomed the proposal and favoured the three span option (Option A). He cautioned that if Option B was implemented, there would be concern with disruption to traffic during cane season.

Murfwillumbah Bus Company (operators of School Busses). Looked forward to the replacement of the bridge and would examine the options on display.

Terry Twohill. Welcomed the proposal and favoured the three span option (Option A). He felt that the flood immunity of the bridge would be well in excess of the 1:5 years that the flood study predicted.
Reports from Director Engineering Services

New bridge over Rous River at Kynumboon

John Stainlay’s residence was contacted. John was away on holidays but would look at the options when he returned and forward any comments.

Graeme Martin (Tweed Canegrowers Association). Welcomed the proposal and favoured the three span option (Option A). He also cautioned that if Option B was implemented, there would be concern with disruption to traffic during cane season.

Tweed Shire Council will make a formal response to RTA.
Reports from Director Engineering Services

22. ORIGIN: Director

FILE REF: Plantation Transport Infrastructure Cttee

REPORT TITLE:

Regional Plantation Transport Infrastructure

SUMMARY OF REPORT:

The Plantation and Reafforestation Act 1999 is expected to be promulgated some time in August 2001. The Act is a significant initiative by the NSW Government towards establishing a business environment that is attractive to private sector investment in plantation forestry.

The transport infrastructure provisions of the Act are very much aimed at providing developers with some degree of assurance that necessary roads will be in place to transport their logs to market when required.

The Act requires the establishment of Regional Plantation Transport Infrastructure Planning Committees.

This report provides a brief overview of the role and function of the Committee and recommends that Council actively participate in the Committee given the long term significance of plantation forestry in the Tweed Valley and the status that the Committee will have within the industry and government.

RECOMMENDATION:

That the Director Engineering Services continues to represent Council on the Upper North Coast Regional Plantation Transport Infrastructure Planning Committee.
Reports from Director Engineering Services

REPORT:

The Plantation and Reafforestation Act 1999 is expected to be promulgated some time in August 2001. The Act is a significant initiative by the NSW Government towards establishing a business environment that is attractive to private sector investment in plantation forestry.

The transport infrastructure provisions of the Act are very much aimed at providing developers with some degree of assurance that necessary roads will be in place to transport their logs to market when required.

The Act requires the establishment of Regional Plantation Transport Infrastructure Planning Committees.

OBJECTIVES

The Act has four objectives:-

- To facilitate the reafforestation of land
- To promote and facilitate development of timber plantations on essentially cleared lands
- To set environmental standards and provide a streamlined and integrated scheme for the establishment, management and harvesting of timber and other forest plantations
- To provide for contributions towards regional transport infrastructure expenditure.

Seven committees have been established across the state. Tweed Shire Council falls in the upper north coast area, which extends from Coffs Harbour to Tweed and west to Glen Innes. The Director Engineering Services represented Tweed Shire Council at the inaugural meeting of the Upper North Coast Committee held at Grafton on the 25 July 2001. The Committees are facilitated through the NSW Department of State and Regional Development. Committee recommendations including recommendations on contribution rates will ultimately be made to the Minister for State and Regional Development.

PRINCIPLES OF THE LEGISLATION

The principles underlying the Act are to facilitate and encourage new plantations in NSW on essentially cleared land by creating certainty, consistency and clarity for plantation developers.

These will be achieved by:-

- Providing a streamlined authorisation process which guarantees harvesting rights
- Making a single Government department responsible for dealing with applications under the Act – the Department of Land and Water conservation
- Basing approval on a clear and comprehensive environmental code of practice – Plantations and Reafforestation Code
Reports from Director Engineering Services

- Establishing *regional committees* to plan for the infrastructure needs of the timber industry based on approved guidelines to ensure consistency, reasonableness and efficiency

- Providing for the payment of financial *contributions* by developers towards maintenance of and improvements to roads and bridges for efficient transport of timber.

The Department of Land and Water Conservation will maintain a publicly available register of *authorised plantations* that records ownership, conditions of authorisation (including the amount payable as an infrastructure *contribution*) and any other matter considered appropriate.
STRUCTURE & ROLE OF REGIONAL COMMITTEES

Section 40 of the Act requires that regional committees will comprise representatives of local government, RTA, plantation developers and other stakeholders in the region.

While the primary function of the regional committees is the preparation of contribution plans, regional committees will also be in a position to act as a focus for timber haulage issues well before contributions are expected to flow. These functions could include:-
Reports from Director Engineering Services

- Gathering a data pool of information on roads and plantations
- Gathering information on road usage by other industries
- Preparation of a timber haulage plan for the region
- Road management planning to develop a plan of works
- Seeking funding for works
- Setting contribution rates – method and value
- Supply of information to plantation developers
- Receive feedback from stakeholders on timber road issues
Reports from Director Engineering Services

23. ORIGIN: Director

FILE REF: Roads - General

REPORT TITLE:
Roads & Traffic Authority and Tweed Shire Council Road Issues

SUMMARY OF REPORT:
This report provides an interim advice to Council in relation to ongoing discussions with the RTA in relation to a number of current issues.

RECOMMENDATION:

That this report be received and noted.
Reports from Director Engineering Services

REPORT:

Council currently has a number of issues requiring resolution with the Roads and Traffic Authority. Following correspondence with the RTA a meeting between Council staff and the RTA was held in Grafton on Thursday the 28 June 2001. Issues discussed and ensuing actions out of that meeting are detailed below:-

MURWILLUMBAH GATEWAY STATEMENT

Conditions 18 and 19 of the DUAP consent for the Chinderah/Yelgun Pacific Highway upgrade relate to the economic impact on Murwillumbah. Progress on this matter was reported to Council at its meeting of the 2 May 2001. A copy of the report is attached and is self explanatory. Council resolved in accordance with the recommendation of the report. Council has requested your early attention to conclusion of this matter, preferably in terms of an integrated tourism NSW Visitor’s facility at Chinderah.

Meeting Outcome

The RTA agreed to approach the Department of State and Regional Development with a view to incorporating an appropriate facility within the NSW Visitor’s Facility at Chinderah.

PACIFIC HIGHWAY HAND OVER

At its meeting of the 2 May 2001 Council dealt with a Notice of Motion from Councillor Boyd. The Notice of Motion was adopted unanimously by Council and is detailed below:-

"RESOLVED that a comprehensive report be provided to Council covering at least the following aspects which relate to that section of the Pacific Highway which will be reclassified within Tweed Shire when the new Motorway is completed in 2002:

1. Its total length
2. Current traffic counts and those forecast for 2005-2010
3. An assessment of the present condition of the pavement of this section so as to identify how much is in a failed or near failed condition
4. An estimate of the cost to bring the existing pavement up to a satisfactory standard before it becomes a Council responsibility.
5. An assessment of the cost of repairing that section of the river bank subsidence threatening the Highway near the Ampol Service Station in Murwillumbah.
6. A forecast as to the time when the section of the Highway between Murwillumbah and the 4 land section at Stotts Creek will have to be constructed to 4 lane standard.
7. An estimated cost to carry out the construction mention in (6).
8. The number and location of road deaths on this section of Highway over the past 10 years, segregated into those north of Murwillumbah and those south of Murwillumbah.
9. The identification of those sections of this road considered to be black spots such as Murnane’s Corner near Burringbar; the turn off at Burringbar to Reserve Creek; and the Railway Bridge at Greenhills."
Reports from Director Engineering Services

10. Any other relevant information considered import on this issue.”

Meeting Outcome

The RTA Asset Section are to meet with Tweed Shire Council officers on the 9 August to undertake a joint inspection of the Highway to identify all potential issues pertaining to the hand over with a view to agreeing on the level of proposed and planned work to be undertaken prior to hand over. The RTA also agreed to review traffic model predictions developed for the Yelgun to Chinderah EIS to reflect the current situation.

HIGHWAY SIGNAGE

The RTA have developed a draft proposal for signage relating to the upgraded Highway.

Meeting Outcome

The RTA undertook to engage in community consultation in relation to the proposed signage and discussion with Council prior to formal adoption.

BRIDGE OVER TERRANORA CREEK

The RTA were advised that resolution of the Northern Tweed Arterial Network is a pre-requisite to a number of significant planning and development issues currently facing Council. Resolution of north facing ramps on to the Tweed Heads Bypass at Kirkwood Road was identified by Council as a priority.

Meeting Outcome

Council staff were requested to provide details of presently zoned and future zoning of land in the Tweed Heads area. Subsequent to the receipt of this information the RTA have agreed to respond on access options on to the Tweed Heads Bypass.

CUDGERA CREEK

The Authority has informally advised Council of its desire to have Council undertake design and construction of this road from the Chinderah/Yelgun interchange to the Mooball/Pottsville Road.

Meeting Outcome

Council advised the desire to have this upgrading completed prior to the opening of the new Highway but noted that the DUAP condition states that upgrading need not occur until 5 years after the opening. The RTA was advised that Council was not in a position to undertake detailed design and construction if the intent was to have these works completed prior to the opening.

Staff from both organisations are to meet again in early September to progress all of the issues.
Reports from Director Engineering Services

24. ORIGIN: Planning & Design Unit

FILE REF: R2830 Pt4

REPORT TITLE:
Kennedy Drive - Traffic Capacity

SUMMARY OF REPORT:
Council at its meeting on 4 July 2001 requested a report increasing the capacity limit on Kennedy Drive by 10%. The Terranora Lakes Resort has lodged an application for an amended consent and if approved will result in the release of 1200 vehicles per day of the previously allocated 2660 vehicles per day allocated to this project. It is expected that the release of 1200 vehicles per day will satisfy demand for up to 3 years based on the current update rate whilst making the previously adopted capacity of 22,000 vehicles per day at Level of Service 'D'.

RECOMMENDATION:
That the current level of service on Kennedy Drive remains in place.
Reports from Director Engineering Services

REPORT:

Council at its meeting on 4 July 2001 resolved the following:-

“That:-

1. Council considers amending its policy on road capacity in respect to Kennedy Drive to increase the capacity by 10%.

2. A report be brought forward to the first meeting in August to enable Council to make a decision.”

The issue of traffic capacity on Kennedy Drive at Cobaki Bridge was reported to Council originally on the 4 June 1997.

In that report a capacity volume was determined based on an adopted Level of Service D based on Austroads definitions which are defined in the original report listed below:-

“Kennedy Drive - Traffic Capacity and the Impact of Development

SUMMARY OF REPORT:

This report discusses the factors that determine the capacity of traffic on Kennedy Drive. The impact of existing and proposed development and in particular the Terranora Lakes Resort Project are considered, and the need to limit any further development west of Cobaki Bridge is also discussed based on capacity constraints.

This report recommends the allocation of the majority of the spare capacity on Gollan Drive Bridge to the Terranora Lakes Resort development consequent with acceptance of a lower than existing level of service on Gollan Drive Bridge, subject to the applicant’s acceptance of road contributions in the order of $1.3 million, to be in satisfactory terms to be negotiated. An advanced payment in full will enable Council to proceed with road infrastructure planning including Lakes Drive Bridge with some certainty.

RECOMMENDATION:

That :

1. The proposed Terranora Lakes Resort development be supported in terms of traffic generation enabling the full development to generate 2660 vehicles per day loading onto Cobaki Bridge/Kennedy Drive, if the Development Application is approved and subject to the development of satisfactory terms regarding some legally committed form of advanced payment of the Tweed Road Development Strategy Contribution being negotiated with the developer.

2. Fifty percent of the remaining spare capacity (being 700 vehicles per day) be reserved for improved trading from the Seagull’s Club.
Reports from Director Engineering Services

3. Fifty percent of the remaining spare capacity (being 700 vehicles per day) from future development equating to 106 residential lots.

4. With respect to (2) and (3) above a review be undertaken in six months time when the Seagulls Club’s operating conditions should be known.
Reports from Director Engineering Services

REPORT:

KENNEDY DRIVE - TRAFFIC CAPACITY AND THE IMPACT OF DEVELOPMENT

INTRODUCTION

This report details the maximum volume of traffic that can be carried by Kennedy Drive and the impact of approved development west of Cobaki Bridge including the proposed Terranora Lakes Resort Project.

Road capacity is assessed on peak hour traffic volumes and can be converted to Annual Average Daily Traffic (AADT) volumes. Kennedy Drive has varying capacities for different sections because of varying cross sections. However, the critical link that restricts capacity is the Cobaki Bridge.

Council has previously considered a detailed report on capacities in Tweed Heads West and Bilambil Heights on 16 March 1994. This Report identified the extent of spare capacity on the road network and identified and discussed major road infrastructure required to enable further development west of Cobaki Bridge. These road infrastructure projects were identified in the Lower Tweed Transportation Study (LTTS) in 1990 and have also been included in the Tweed Road Development Strategy (TRDS) which replaces the LTTS and is currently on exhibition.

This report does not revisit these decisions but concentrates on the need to determine the current spare capacity on Cobaki Bridge as it is the determining factor as to the extent of any further development west of the Cobaki Bridge.

CAPACITY CALCULATIONS

The capacity of a single traffic lane in one direction can be calculated using Austroads “Guide to traffic Engineering Practice Part 2 - Roadway Capacity” which is a widely adopted reference document.

The maximum capacity of a lane is 1800 vehicles per hour under ideal conditions. Reductions are made for heavy vehicles, lane and shoulder widths and grades. Council generally aims to operate the distributor road network at a Level of Service C (LOS C). However, in this case a Level of Service D (LOS D) can be accepted as it provides Council with the opportunity to obtain a significant contribution towards the TRDS and creates employment. Clearly Council will require a binding commitment from the developer to provide the TRDS contribution as an upfront payment within 12 months of the consent. Level of Service D for peak hour flows is reached in urban city areas but means that traffic flow is approaching the limit of stable flow. At LOS D any problems or traffic increases will cause delays. This is a tolerable situation for short periods of time such as peak hours in this instance.

Austroads “Guide to Traffic Generating Development Part 2” defines Level of Service as follows:-

“Level of service is defined as a qualitative measure describing operational conditions within a traffic stream, and their perception by motorists and/or passengers.

A level of service definition generally describes these conditions in terms of factors such as speed and travel time, freedom to manoeuvre, traffic interruptions, comfort and
convenience and safety. In general, there are six levels of service, designed from A to F, which level of service A representing the best operating condition (ie free flow) and level of service F the worst (ie forced for break-down flow).

Each of the levels of service can generally be described as follows:

- **Level of Service A** is a condition of free flow in which individual drivers are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to manoeuvre within the traffic stream is extremely high, and the general level of comfort and convenience provided is excellent.

- **Level of Service B** is in the zone of stable flow and drivers still have reasonable freedom to select their desired speed and to manoeuvre within the traffic stream, although the general level of comfort and convenience is a little less than with level of service A.

- **Level of Service C** is also in the zone of stable flow, but most drivers are restricted to some extent in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience declines noticeably at this level.

- **Level of Service D** is close to the limit of stable flow and is approaching unstable flow. All drivers are severely restricted in their freedom to select their desired speed and to manoeuvre within the traffic stream. The general level of comfort and convenience is poor, and small increases in traffic flow will generally cause operational problems.

- **Level of Service E** occurs when traffic volumes are at or close to capacity, and there is virtually no freedom to select desired speeds or to manoeuvre within the traffic stream. Flow is unstable and minor disturbances within the traffic stream will cause breakdown.

- **Level of Service F** is in the zone of forced flow. With it, the amount of traffic approaching the point under consideration exceeds that which can pass it. Flow breakdown occurs, and queuing and delays result.

The level of service concept may be used as the basis of capacity and operational analysis for all types of road facilities, but in this Guide its use is mainly limited to the analysis of two lane roads, multi-lane roads and freeways."

Using the above document the peak hour one way flow on Cobaki Bridge is calculated to be 1310 vehicles per hour.

Assuming that this represents 75% of the two way traffic (i.e a 3:1 split), which has been adopted as the split in the previous report, the two way afternoon peak hour traffic flow is 1750 vehicles per hour. It should be noted that in theory the peak hour two way capacity is 2620 vehicles per hour however, peak hour flow is tidal in nature.
Reports from Director Engineering Services

In the 1994 Report, the one way peak hour capacity was identified as being 1200 vehicles per hour. However, this was based on a Level of Service C (LOS C) which is within the zone of stable flow where drivers do have some freedom to select their desired speed as opposed to LOS D.

Because of the benefits to Council and the planned future road network is considered reasonable to allow peak hour traffic to operate at LOS D to maximise the use of existing road infrastructure in this location. It is also important to note that this Level of Service (LOS) only applies on the Cobaki Bridge as Kennedy Drive when marked as four traffic lanes will have a capacity of 1500 vehicles per hour at a LOS C and these conditions only apply in peak hour. The proposed construction of Lakes Drive Bridge and Kirkwood Road will also result in a downloading of traffic on Kennedy Drive.

From the peak hour traffic volume, the average daily traffic (ADT) can be determined. In Tweed Shire the peak hour flow has been determined to be 8% of ADT. Therefore, the maximum daily volume (24 hour) at Cobaki Bridge can be extrapolated by calculation to be 22,000 vehicles per day.

<table>
<thead>
<tr>
<th>Cobaki Bridge - Capacity (LOS D)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Hour Two Way</td>
</tr>
<tr>
<td>Average Daily Traffic</td>
</tr>
</tbody>
</table>

It is not uncommon for two lane bridges to carry traffic volumes of this magnitude in peak periods. A report prepared by Beard and Holland for Brisbane City Council in 1992 recorded peak hour flows on the two lane Walter Taylor Bridge of 3000 vehicles per hour (2 way) or 1996 vehicles per hour in one direction and an ADT of 30,000 vehicles per day. Two local examples are the old two lane Barneys Point Bridge which carried 26000 vehicles per day and the Crystal Waters Bridge on Kennedy Drive which currently carries 21700 vehicles per day. It should be noted that development west of Cobaki Bridge has negligible impact on Crystal Waters Bridge. This is because the majority of traffic generated (90%) accesses the Tweed Heads Bypass in a northerly or southerly direction. The capacity level proposed for Cobaki Bridge is equal to less than these examples to ensure reasonable flow conditions are maintained during peak periods.

**Existing Traffic Flows**

A recent traffic survey was undertaken in March 1997 at Cobaki Bridge. Details are shown in Table 1 which shows hourly and daily traffic volumes.
Reports from Director Engineering Services

Table 1

KENNERD DRIVE AT COBAKI BRIDGE
TRAFFIC SURVEY

<table>
<thead>
<tr>
<th>Date</th>
<th>Thur 6/03/97</th>
<th>Fri 7/03/97</th>
<th>Sat 8/03/97</th>
<th>Sun 9/03/97</th>
<th>Mon 10/03/97</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Volumes Times AM</td>
<td>12.00</td>
<td>154</td>
<td>117</td>
<td>266</td>
<td>346</td>
</tr>
<tr>
<td></td>
<td>1.00</td>
<td>93</td>
<td>56</td>
<td>172</td>
<td>233</td>
</tr>
<tr>
<td></td>
<td>2.00</td>
<td>54</td>
<td>50</td>
<td>118</td>
<td>113</td>
</tr>
<tr>
<td></td>
<td>3.00</td>
<td>30</td>
<td>25</td>
<td>89</td>
<td>81</td>
</tr>
<tr>
<td></td>
<td>4.00</td>
<td>26</td>
<td>35</td>
<td>48</td>
<td>78</td>
</tr>
<tr>
<td></td>
<td>5.00</td>
<td>73</td>
<td>63</td>
<td>70</td>
<td>67</td>
</tr>
<tr>
<td></td>
<td>6.00</td>
<td>265</td>
<td>242</td>
<td>181</td>
<td>137</td>
</tr>
<tr>
<td></td>
<td>7.00</td>
<td>630</td>
<td>630</td>
<td>397</td>
<td>222</td>
</tr>
<tr>
<td></td>
<td>8.00</td>
<td>1023</td>
<td>1044</td>
<td>613</td>
<td>423</td>
</tr>
<tr>
<td></td>
<td>9.00</td>
<td>1139</td>
<td>1108</td>
<td>874</td>
<td>788</td>
</tr>
<tr>
<td></td>
<td>10.00</td>
<td>1032</td>
<td>997</td>
<td>946</td>
<td>846</td>
</tr>
<tr>
<td></td>
<td>11.00</td>
<td>899</td>
<td>965</td>
<td>1094</td>
<td>927</td>
</tr>
<tr>
<td>Times PM</td>
<td>12.00</td>
<td>881</td>
<td>999</td>
<td>1084</td>
<td>863</td>
</tr>
<tr>
<td></td>
<td>1.00</td>
<td>920</td>
<td>961</td>
<td>1039</td>
<td>867</td>
</tr>
<tr>
<td></td>
<td>2.00</td>
<td>900</td>
<td>957</td>
<td>968</td>
<td>790</td>
</tr>
<tr>
<td></td>
<td>3.00</td>
<td>1133</td>
<td>1156</td>
<td>968</td>
<td>775</td>
</tr>
<tr>
<td></td>
<td>4.00</td>
<td>1184</td>
<td>1221</td>
<td>1039</td>
<td>857</td>
</tr>
<tr>
<td></td>
<td>5.00</td>
<td>1253</td>
<td>1259</td>
<td>1138</td>
<td>840</td>
</tr>
<tr>
<td></td>
<td>6.00</td>
<td>1133</td>
<td>1104</td>
<td>1092</td>
<td>792</td>
</tr>
<tr>
<td></td>
<td>7.00</td>
<td>926</td>
<td>906</td>
<td>990</td>
<td>649</td>
</tr>
<tr>
<td></td>
<td>8.00</td>
<td>558</td>
<td>789</td>
<td>852</td>
<td>410</td>
</tr>
<tr>
<td></td>
<td>9.00</td>
<td>442</td>
<td>492</td>
<td>503</td>
<td>326</td>
</tr>
<tr>
<td></td>
<td>10.00</td>
<td>335</td>
<td>351</td>
<td>448</td>
<td>237</td>
</tr>
<tr>
<td></td>
<td>11.00</td>
<td>215</td>
<td>359</td>
<td>420</td>
<td>135</td>
</tr>
<tr>
<td>TOTALS</td>
<td>15298</td>
<td>15886</td>
<td>15409</td>
<td>11802</td>
<td>14441</td>
</tr>
</tbody>
</table>

Table 2

HISTORIC TRAFFIC DATA

<table>
<thead>
<tr>
<th>Kennedy Drive at Barrett Street</th>
<th>28/10/94</th>
<th>15/8/95</th>
<th>6/3/97</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADT (vph)</td>
<td>21120</td>
<td>21590</td>
<td>20400*</td>
</tr>
<tr>
<td>Kennedy Drive at Cobaki Bridge</td>
<td>15/2/93</td>
<td>15/8/95</td>
<td>6/3/97</td>
</tr>
<tr>
<td>ADT (vph)</td>
<td>15794</td>
<td>16485</td>
<td>15258</td>
</tr>
</tbody>
</table>

* estimate based on Cobaki Bridge
Reports from Director Engineering Services

The average daily traffic has been calculated by excluding the Sunday total as it is considerably lower. The average daily traffic ADT is 15258 vehicles per day and the afternoon peak hour occurs between 4.00 and 5.00 pm with the maximum peak hour 2 way flow being 1259 vehicles per day.

**FUTURE TRAFFIC FROM EXISTING APPROVALS**

This refers to traffic yet to be generated, however the potential exists from approved developments. This includes subdivisional lots without dwellings, medium density developments with stages yet to proceed and tourist facilities.

Table 2 shows all the major developments approved since March 1994 and identifies the remaining traffic generating potential from these developments. It does not include minor two lot subdivisions.

**Table 3**

<table>
<thead>
<tr>
<th>Subdivision Name</th>
<th>No. of Lots in Subdivision</th>
<th>No. of Lots Built on at 4/4/97</th>
<th>No. of Lots Remaining</th>
<th>Generation Rate</th>
<th>Future Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pine Tree Road</td>
<td>6</td>
<td>1</td>
<td>5</td>
<td>6.5</td>
<td>32.5</td>
</tr>
<tr>
<td>Left off Piggabeen Road</td>
<td>11</td>
<td>0</td>
<td>11</td>
<td>6.5</td>
<td>71.5</td>
</tr>
<tr>
<td>Robinsons Road</td>
<td>9</td>
<td>0</td>
<td>9</td>
<td>6.5</td>
<td>58.5</td>
</tr>
<tr>
<td>Quambi Road</td>
<td>12</td>
<td>5</td>
<td>7</td>
<td>6.5</td>
<td>45.5</td>
</tr>
<tr>
<td>Cobaki Road</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>6.5</td>
<td>6.5</td>
</tr>
<tr>
<td>Mt Glade Estate</td>
<td>11</td>
<td>0</td>
<td>11</td>
<td>6.5</td>
<td>71.5</td>
</tr>
<tr>
<td>Foxy’s Golf Club</td>
<td>Current DA (Additional Traffic)</td>
<td></td>
<td></td>
<td></td>
<td>332</td>
</tr>
<tr>
<td>Cobaki Broadwater Village</td>
<td>325</td>
<td>200</td>
<td>125</td>
<td>3.9</td>
<td>487.5</td>
</tr>
<tr>
<td>Tweed Highlands Estate</td>
<td>60</td>
<td>2</td>
<td>58</td>
<td>6.5</td>
<td>377</td>
</tr>
<tr>
<td>Inlet Drive</td>
<td>10</td>
<td>2</td>
<td>4</td>
<td>6.5</td>
<td>26</td>
</tr>
<tr>
<td>Lalina Avenue</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>6.5</td>
<td>13</td>
</tr>
<tr>
<td>Sierra Vista Estate</td>
<td>105</td>
<td>42</td>
<td>63</td>
<td>6.5</td>
<td>409.5</td>
</tr>
<tr>
<td>Peninsular Drive</td>
<td>4</td>
<td>1</td>
<td>3</td>
<td>6.5</td>
<td>19.5</td>
</tr>
<tr>
<td>Lamanda Court</td>
<td>13</td>
<td>11</td>
<td>2</td>
<td>6.5</td>
<td>13</td>
</tr>
<tr>
<td>Marana Park Estate</td>
<td>41</td>
<td>18</td>
<td>23</td>
<td>6.5</td>
<td>149.5</td>
</tr>
<tr>
<td>McAllisters Road</td>
<td>4</td>
<td>1</td>
<td>3</td>
<td>6.5</td>
<td>19.5</td>
</tr>
<tr>
<td>Majestic Park Estate</td>
<td>11</td>
<td>4</td>
<td>7</td>
<td>6.5</td>
<td>45.5</td>
</tr>
<tr>
<td>Carool Road</td>
<td>9</td>
<td>2</td>
<td>7</td>
<td>6.5</td>
<td>45.5</td>
</tr>
<tr>
<td>Scenic Drive</td>
<td>34</td>
<td>34</td>
<td>34</td>
<td>3.9</td>
<td>132.6</td>
</tr>
<tr>
<td>Cusack’s Subdivision</td>
<td>52</td>
<td>0</td>
<td>52</td>
<td>6.5</td>
<td>338</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>724</strong></td>
<td><strong>293</strong></td>
<td><strong>427</strong></td>
<td></td>
<td><strong>2694.1</strong></td>
</tr>
</tbody>
</table>

The potential traffic generation from these approvals is 2694 vehicles per day. This is considered to be conservative as some of the generated trips would not cross the Cobaki Bridge as some trips would be to local shops and the primary school, however, no reductions have been incorporated for these trips.
Reports from Director Engineering Services

**Terranora Lakes Resort**

Council has previously considered a report on the traffic generation figures from the Resort. Due to the nature of the Resort it has been difficult to ascertain exact numbers. The applicant’s Traffic Report estimated 1747 vehicles per day would be generated. Veitch Lister Consulting were asked to provide a Report on this issue and determined a range of between 1755 and 3777 vehicles per day would be generated. On this Report’s recommendation Council determined that the figure used should be 3500 vehicles per day.

The applicant has since provided additional information on guests, staff and day visitors. Based on this advice the daily traffic generation has been revised to a figure of 2660 vehicles per day which falls midway between the Veitch Lister range and approximately 900 vehicles per day above the applicant’s figures. This will be discussed in greater detail in the Development Application Report.

**Cumulative Impact on Cobaki Bridge**

If the Terranora Lakes Resort Project obtains development consent and proceeds, the impact of the traffic generated including additional traffic from existing approvals is shown in Table 4.

<table>
<thead>
<tr>
<th>Traffic Volumes</th>
<th>March 1997</th>
<th>Approved DAs</th>
<th>Terranora Lakes Resort</th>
<th>Total</th>
<th>Capacity</th>
<th>Spare Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Hour 1 way (vph)</td>
<td>944</td>
<td>161</td>
<td>159</td>
<td>1264</td>
<td>1310</td>
<td>46</td>
</tr>
<tr>
<td>Peak Hour 2 way (vph)</td>
<td>1259</td>
<td>215</td>
<td>212</td>
<td>1686</td>
<td>1750</td>
<td>64</td>
</tr>
<tr>
<td>ADT (vpd)</td>
<td>15258</td>
<td>2695</td>
<td>2660</td>
<td>20613</td>
<td>22000</td>
<td>1387</td>
</tr>
</tbody>
</table>

The existing traffic volumes, when added to the projects above, are approaching the capacity of Cobaki Bridge. However some capacity is still available.

**Impact on Future Development and Council**

It is considered appropriate to allow the Terranora Lakes Resort Project to consume two thirds of the remaining roadway capacity at Cobaki Bridge for the following reasons.

1. The Terranora Lakes Resort Project provides many benefits to the community and tourism industry by creating up to 1300 permanent jobs at full operation as well as short term construction jobs. The owner has indicated that he is intent on proceeding as soon as possible with the project.

2. The project will inject approximately $1.3 million into the TRDS which will greatly assist in the provision of the planned Lakes Drive Bridge which will enable further development west of Cobaki Bridge to proceed when it is completed. Approximately $1 million will be a cash contribution with credits in the vicinity of $300,00 for the construction of a roundabout at Gollan Drive/Piggabeen Road intersection.
Reports from Director Engineering
Services

To support and assist Council in its determination the developer has submitted a letter (copy attached) with states:-

“...It is also noted that our client is prepared to contribute to the Tweed Distributor Roads Study, on the basis that works at the intersection of Cobaki Bridge, Gollan Drive and Piggabeen Road are accepted as credit against this contribution. The value of total contribution without credit is understood to be of the order of 1.3 million dollars at this time.

From discussions, it appears that Council may wish to resolve the acceptance of the principals of traffic volume before addressing the final approval, hence we note our client has extreme contractual constraints; and as such seeks Council’s assistance to have this traffic issue clarified at its meeting of 21 May 1997, if possible. Our client has appreciated every assistance provided by Council and its officers to date in assessing the application.”

In discussion with Council officers it would appear that it is possible for all necessary reports to be ready to enable Council to consider approval in early June. Contractual commitments of our client indicate that this program would be most desirable and essential to enable him to commence development of the resort and enable completion by August 2000.”

This letter does not specifically advise acceptance of the advanced payment of the TRDS charge of approximately $1.3 million. The letter also explains the contract timeframe for the project and its completion date of August 2000.

The concern for Council is to ensure that the TRDS payment is made within a specified timeframe regardless of the Resort’s progress given the reduction in the level of service and consequent loss of amenity to Gollan Drive road users. This can be managed at the condition stage of the projects Development Application and should not be a problem with the developer given his commitment to the prompt commencement of the project. This will ensure Council receives the developers TRDS contribution within a specified time (probably 12 months) to enable Council to plan the road network upgrading in the area with greater certainty.

It is recommended that this project be allocated two thirds of the spare capacity on Cobaki Bridge for the above reasons.

It should also be noted that no other major development west of Cobaki Bridge can proceed until a Development Control Plan for the area is developed and approved, and any rezonings dealt with. Such work could take several years. In the meantime, the Terranora Lakes Resort Project will generate significant contributions to the TRDS and some spare capacity still remains for smaller developments.

Spare Capacity

From the figures in Table 4 it can be seen that 1387 vehicles per day spare capacity remains. It is suggested that 50% be allocated for improved trading for the Seagulls Club and the remaining 50% be available for other development west of Cobaki Bridge being 693 vehicles per day. If this development took the form of subdivisions it would equate to an additional 106 lots. However, due
Reports from Director Engineering Services

To uncertainty regarding the future operation of the Seagulls Club this allocation should be revised in 6 months time when the Club’s operating conditions should be known as it may be possible to allocate further capacity to development.

All development west of Cobaki Bridge is to be monitored from the date of this report to determine when the spare capacity is taken up at which time further development will need to be refused.”

Table 4 of the above report summarised the road capacity allocated to approved developments and the volume of traffic generation still available for future applications. At that time 1,387 vehicle trips per day were yet to be allocated, however, as of the date of this report no spare road capacity is available.

It should be noted that the 1997 report allocated 2,660 vehicle trips per day to the Terranora Lakes Resort project which is now subject to an application to modify the consent which is being considered at this Council meeting.

The application is significant to the Kennedy Drive traffic capacity in that the proposed staging will release 1,200 vehicle trips per day previously allocated to the development back to being spare capacity on Kennedy Drive. This is because the staging limits development of the project until the Cobaki Parkway and Tugun Bypass is completed.

If the application to modify the Terranora Lakes Resort consent is approved Council will be able to maintain the adopted Level of Service D on Kennedy Drive as the extra 1,200 vehicle trips per day will become available for new developments west of Cobaki Bridge and whilst maintaining the adopted capacity of 22,000 vehicles per day.

The 1,200 vehicles per day represent 5.4% of the Kennedy Drive capacity and given the rate of take up of the previous spare capacity of 1,387 vehicles per day since May 1997 should, satisfy demand for the next 3 years, by which time all the distributor road network issues in the area should have been resolved.
Reports from Director Engineering Services
Reports from Director Environment & Community Services

25. ORIGIN: Environment & Health Services Unit

FILE REF: Companion Animals

REPORT TITLE:

Companion Animals – Dog Off Leash Exercise Areas

SUMMARY OF REPORT:

A site meeting between officers and two members of the Companion Animals Committee was recently held to discuss possible variations to the existing dog off leash areas at Fingal and Kingscliff.

At the Companion Animals Committee meeting of 2 July 2001, the Committee made a recommendation that alternative variations to the existing dog off leash areas be placed on public exhibition for comment.

Officers suggest that the various options be placed on public exhibition to gauge public sentiment to the possible variations.

RECOMMENDATION:

That Council seeks public comment for a period of twenty-eight (28) days on the following proposed variations to the existing dog off leash exercise areas on beaches:

- South Fingal / Kingscliff Beach – move the northern limit of the exercise area north to the quarry access road, or alternatively move the northern limit to the access walkway from Dune Street, or leave the northern limit as currently located;

- South Fingal / Kingscliff Beach – move the southern limit south to the north side of the North Kingscliff Caravan Park, or, alternatively leave the southern limit in the current position (a point 2km north of the beach access point opposite the Kingscliff Police Station);
Reports from Director Environment & Community Services

- Letitia Spit / North Fingal Beach – Create an off leash area which extends from the cemetery in the south to the Tweed River Rock Wall in the north.
Reports from Director Environment & Community Services

REPORT:

Council’s Companion Animals Committee members have discussed possible variations to the existing dog off leash areas on beaches at Kingscliff and Fingal on a number of occasions. A letter has also been received from the Fingal Head Community Association requesting the off leash area on the south side of Fingal Headland be extended up to the Headland.

A site meeting was recently conducted by Council officers and two Committee representatives to review the off leash areas. At that meeting the following amendments to the existing off leash areas were suggested:

- South Fingal / Kingscliff Beach – move the northern limit of the exercise area north to the access walkway from Dune Street.
- Letitia Spit / North Fingal Beach – Create an off leash area which extends from the cemetery in the south to the Tweed River Rock Wall in the north.

At the subsequent Companion Animals Committee meeting of 2 July 2001, the Committee discussed the current arrangements at length, as well as possible changes. Members expressed a view that improved access and parking for off leash area users could be achieved by certain variations to the current areas. Committee made a recommendation that three variations to the existing dog off leash areas on beaches be placed on public exhibition for comment.

The three variations are as follows:

- South Fingal / Kingscliff Beach – move the northern limit of the exercise area north to the quarry access road.
- South Fingal / Kingscliff Beach – move the southern limit south to the north side of the North Kingscliff Caravan Park.
- Letitia Spit / North Fingal Beach – Create an off leash area which extends from the cemetery in the south to the Tweed River Rock Wall in the north.

With respect to the proposed variations Council is advised that the current off leash areas on the respective beaches are as follows:

- South Fingal / Kingscliff Beach - from a point 2km north of the beach access point opposite the Kingscliff Police Station to a point 0.5km south of the beach access point at the Fingal Quarry
- Letitia Spit / North Fingal Beach – Nil off leash area currently.

Council has the task of establishing a balance between use of beaches by dog owners and non-dog owners. No major complaints or incidents have been received to date due to the establishment of off leash areas on beaches.
Reports from Director Environment & Community Services

Officers believe that the three suggested amendments from the Committee meeting of 2 July may be viewed as excessive. The original two suggested amendments from the site meeting are viewed as more balanced and provide a more reasonable area for non dog owners to utilise the respective beaches. This is particularly true of the area on the south side of Fingal Headland and the suggested southern extension of the existing off leash area on Kingscliff Beach.

Therefore officers recommend that both suggestions be advertised as follows:

- South Fingal / Kingscliff Beach – move the northern limit of the exercise area north to the quarry access road, or alternatively move the northern limit to the access walkway from Dune Street or alternatively leave as it is currently located.

- South Fingal / Kingscliff Beach – move the southern limit south to the north side of the North Kingscliff Caravan Park, or, alternatively leave the southern limit in the current position (a point 2km north of the beach access point opposite the Kingscliff Police Station which equates to the northern end of Murphy’s Road).

- Letitia Spit / North Fingal Beach – Create an off leash area which extends from the cemetery in the south to the Tweed River Rock Wall in the north.

Should Council approve the proposed advertisement of the above changes, then public sentiment and opinion regarding the issue will be available for consideration before any variations are approved.
26. ORIGIN: Recreation Services Unit
   FILE REF: Memorials, Parks-Naming

REPORT TITLE:

Naming of Area Fronting Murwillumbah Civic Centre - "Remembrance Place"

SUMMARY OF REPORT:
Council has received a request from the Returned and Services League of Australia, Murwillumbah Sub-Branch to name the area fronting the Murwillumbah Civic Centre "Remembrance Place".

RECOMMENDATION:

That Council:-

1. Calls for comment regarding the naming of the grassed area fronting the Murwillumbah Civic Centre "Remembrance Place".

2. Advises the Returned and Services League of Australia, Murwillumbah Sub-Branch, that there is a possibility that future extensions at the Civic Centre may encroach onto sections of this area. However, any such activities will be designed so as not to impose on the existing memorials.
Reports from Director Environment & Community Services

REPORT:

Council has received a request from the Returned and Services League of Australia, Murwillumbah Sub-Branch to name the area fronting the Murwillumbah Civic Centre containing the memorials “Remembrance Place”. The letter is reproduced as follows:-

THE RETURNED AND SERVICES LEAGUE
OF AUSTRALIA
NEW SOUTH WALES BRANCH

"The Price of Liberty is Eternal Vigilance"

President D.B. Sims JP
Treasurer L.A. Bawden JP
Secretary K.J. Cheetham MBE RFD ED

Murwillumbah Sub Branch
PO Box 4
Murwillumbah 2484
Ph: 02 66726109
Fax: 02 66723906

17th April 2001

Dr John Griffin
General Manager
Tweed Shire Council
Murwillumbah 2484

Dear Sir,

I would like to place on record our sincere thanks for the assistance given by your staff at all levels with regards to the memorial wall.

The RSL appreciates your efforts on our behalf and the finished product speaks for itself. I believe that we have a monument that fulfills its purpose and looks good.

The executive of our sub branch have given some thought to the significance of the memorials and their immediate surrounds. We consider that it would be suitable if the council would consider naming the area “Remembrance Place”. If the idea is accepted we could have a naming ceremony on Remembrance Day 11th November this year.

There is another idea that would complete the project, it could be included perhaps in future budget proposals. That is the floodlighting of the memorials and including a power outlet for use with a public address system on ANZAC Day. We consider the floodlighting on appropriate occasions would add to the ambience of the area surrounding the Civic Centre. The power outlet would avoid the risk of injury by someone tripping over leads which we at present have to use.

Thank you once again for your valued support and hoping you can “take on board” our suggestions.

Yours sincerely

Derek Sims
President
Reports from Director Environment & Community Services

Council’s policy for Public Reserves-Naming states:-

a) Public Reserves should be given names of historical and/or Aboriginal significance or the names of eminent persons, past or present may be used;

b) Proposals for naming public reserves shall be advertised for twenty-one (21) days for comment.

A map of the area to be named is reproduced following.
Reports from Director Environment & Community Services

Figure 1

“Remembrance Place”
Reports from Director Environment & Community Services

COMMENT

Whilst the proposal is consistent with Council’s policy, it should be noted that there is a possibility that future extensions to the Civic Centre may encroach onto this area. However, any such plans would not encroach into any existing memorials.

Subsequently, whilst it is recommended Council calls for comment regarding the proposed naming of this area “Remembrance Place”, it is also recommended that Council notifies the Sub-Branch that future extensions to the Civic Centre may encroach into the area. However, any such plans will not encroach into existing memorials.

With regard to the proposed floodlighting and power outlet, Council’s electricians have advised a cost of approximately $2,500 to get power to the site. The costs of floodlighting would be dependent on the type of lighting used and is additional to the above cost.

Dr J Griffin
General Manager
Reports from Director Environment & Community Services
Reports from Committees/Working Groups

1. Minutes of the Clarrie Hall Dam Fishery Management Committee Meeting held Monday 9 July 2001

    File No: GW3/3/26

VENUE:
    Civic Centre Murwillumbah

TIME:
    5.25pm

PRESENT:
    Cr Phil Youngblutt, (Acting Chairman); Chris Estreich, Col Wiley, Barry Saunders and John Henley

APOLOGIES:
    Cr Lyn Beck, Tom Senti

MINUTES OF PREVIOUS MEETING:

Moved: Col Wiley
Seconded: John Henley

RESOLVED that the Minutes of the Clarrie Hall Dam Fishery Management Committee meeting held 16 June, 2000 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

1. Salvinia

    Clarrie Hall - General

The previously reported infestation has disappeared. Biological control in the form of Cyrtobagous Weevils were active at the time but are not credited with the total success. It is believed that other unidentified factors contributed to the success. Unfortunately most of the Salvinia has sunk and is contributing to the nutrient load in the Dam.
Reports from Committees/Working Groups

GENERAL BUSINESS:

1. Stocking 2000/2001

Clarrie Hall Fish Stocking

Confirmation has been received from NSW Fisheries of the stocking of 16,200 Australian Bass in November, 2000.


Clarrie Hall Fish Stocking

(i) The offer of a grant of $1000 from the Australian Bass Association Inc. local group for further bass stocking in 2001/2002 was gratefully acknowledged.

(ii) An application has been submitted to NSW Fisheries for a grant of $5000, on a $1 for $1 basis, to fund further stocking in 2001/2002.


Clarrie Hall - Recreation

Two applications were received for 2001/2002 following public advertisements. Both were licence holders in 2000/2001.

RECOMMENDATION:

That the Committee recommends that licences be issued to the 2 applicants for a licence to operate Commercial Fishing Charters/Guides on Clarrie Hall Dam to 30 June, 2002 being Fish ’N’ Freshwater Charters (Des Charles) and Gary Prerost.

4. Salvinia

Clarrie Hall - General

Reported in Business Arising

5. Commercial Fishing Lodge

Clarrie Hall – Plan of Management

The concept of a commercial Fishing Lodge being developed on Council land adjacent to the Dam was discussed. Such a use is contrary to the current Plan of Management. It was concluded that such a development would not be beneficial to the amenity of the waterway, at times would be in conflict with the principle objective of the Dam as water supply and was unlikely to be supported by residents in the catchment. It was felt that there are existing
Reports from Committees/Working Groups

private accommodation facilities nearby and scope for further private developments if a market existed.

6. Signposting

Clarrie Hall – General

(i) It was recommended that suitable warning signs be erected, adjacent to Byangum Bridge that water craft propelled either manually or by electric motors only are permitted above the Bray Park Weir.

(ii) It was decided to approach NSW Fisheries seeking the erection of warning signs at river crossings and similar public access points detailing the restrictions on the taking of Australian Bass.

NEXT MEETING:

The next meeting of Clarrie Hall Dam Fishery Management Committee will be held when required.

The meeting closed at 6.06pm.

Director’s Comments:

NIL

DIRECTOR’S RECOMMENDATIONS:


Clarrie Hall - Recreation

Committee Recommendation:

That the Committee recommends that licences be issued to the 2 applicants for a licence to operate Commercial Fishing Charters/Guides on Clarrie Hall Dam to 30 June, 2002 being Fish ’N’ Freshwater Charters (Des Charles) and Gary Prerost.

Director’s Recommendation: That the Committee’s recommendation be endorsed.
Reports from Committees/Working Groups

2. Minutes of the Local Traffic Committee Meeting held Friday 13 July 2001

Traffic Committee

Venue:
Peter Border Meeting Room

Time:
Commencing at 9.00am.

Present:
Committee Members: Snr Const Lewis Molnar, NSW Police; Mr Neville Newell, MP, Member for Tweed.

Mr Newell left the meeting at 10:30am.

Informal: Chairman: Mr Paul Morgan, Mr Ray Clark and Judith Finch Tweed Shire Council.

Apologies:
Mr Don Page MP, Member for Ballina, Mr Mike Baldwin, Roads and Traffic Authority, Cr George Davidson; Tweed Shire Council.

Minutes of Previous Meeting:
Resolved that the Minutes of the Local Traffic Committee Meeting held Friday 15 June 2001 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

GT2/1 Pt3 451

Business Arising:

5. Terranora Road, Terranora

R5431 Pt4; R5441 DW607927

From meeting held 15 June 2001 (item 5).

The Chairman advised that consequent to the Local Traffic Committee Minutes of the 15 June 2001 Council had recommended that:-

“The speed limit on Terranora Road between McAuleys Road and Dobby’s Crescent be increased from 60 to 70kph.”

The Committee noted Council’s resolution and did not support it, however the request will be forwarded to the RTA as the RTA Representative was absent from the meeting.

For Council’s information.

__________________________________________________________
Reports from Committees/Working Groups

7. Kennedy Drive, Tweed Heads (Boat Ramp Access)

From meeting held 15 June 2001 (item 7).

The Committee noted Council’s preference for two hour parking and raised no objections, however the Committee also noted that the formal process of traffic safety issues and regulatory signage is that if Council does not agree with the Committee’s recommendation they should refer it back to the Local Traffic Committee giving reasons. Otherwise members of the Committee have the opportunity to appeal Council’s decision to the Regional Traffic Committee whose decision is binding.

For Council’s information.

2. Proudfoots Lane, Murwillumbah

At the meeting held on the 12 April 2001 (item 2) the following was discussed:-

“Request received for assistance with the problem of parked vehicles either side and opposite to a driveway on Proudfoots Lane.

The Committee noted that parking was a problem in the area and that staff in the new co-location building are parking in the public parking area underneath the building.

It was decided that Development Services be requested to ensure that the conditions of consent be adhered to as far as parking for employees is concerned, to ensure that there is enough parking for visitors.

Cr Marshall requested that the situation be monitored to ensure compliance. The question of permit parking was discussed. The possibility of making the laneway one-way was discussed.

It was decided that the installation of “No Stopping” signs around driveways will be reviewed after the one-way traffic flow issue is resolved.

The Road Safety Officer advised that advertisements would be placed in the Tweed Link advising drivers of practices for vehicle parking including distances from driveways and corners.

RECOMMENDATION:

That:-

1. Council advertises the proposal to make traffic flow one-way from Brisbane Street to Nullum Street.
2. The Manager of Development Control be requested to investigate why the car park under the new co-location building on Wollumbin Street is being utilised by staff rather than being reserved for clients of the government offices.”

The proposal was advertised in the Tweed Link on the 5 June 2001 and no responses to the proposal, either positive or negative have been received.
Reports from Committees/Working Groups

The Committee noted that TAFE had previously supported a one-way system in Proudfoots Lane.

The Police Representative raised concerns at the sight distance exiting Proudfoots Lane on to Nullum Street. It was decided that a “Stop” sign should be installed on Proudfoots Lane at the Nullum Street exit.

It was requested that a report be received from the Manager Development Control in relation to parking under the co-location building in connection with item 2 of the Local Traffic Committee meeting held on 12 April 2001.

RECOMMENDATION:

That:-

1. Proudfoots Lane be made one way from Brisbane Street to Nullum Street.
2. A “Stop” sign be installed on Proudfoots Lane at the Nullum Street exit.

21. Clothiers Creek Road

This item is brought forward for further discussion after receipt of a further complaint regarding the speed limit along Clothiers Creek Road. In particular the section from the existing de-restriction sign just east of Norths Lane to a point just west of the current bypass roadworks site is being highlighted as a problem, where it is requested that a speed limit of 80kph be applied.

It is reported that once drivers reach the bottom of the range there is nothing holding most of them back and that existing speed warning signs are disregarded. The property at 802 Clothiers Creek Road has experienced two vehicles crashing through the fence.

The item was previously discussed at the Local Traffic Committee meetings of 22 September 2000, 1 February 2001 and 16 March 2001 and part of the 16 March item is reproduced as follows:-

*The RTA Representative suggested that an assessment be performed by the RTA on the remaining road and did not support an 80kph speed limit for the whole of Clothiers Creek Road.*

*The Committee members supported an 80kph zone on the whole length of Clothiers Creek Road with the exception of the RTA representative who opposed the reduction. The RTA representative undertook to undertake a formal review in accordance with RTA policy and reported to the Local Traffic Committee when available.*

*Mr Neville Newell stated that he believed an 80kph speed limit should be applied over the whole section.*
Reports from Committees/Working Groups

*Cr Davidson stated that he strongly held the view that the whole of Clothiers Creek Road should be limited to 80kph.*

*The Police Representative suggested that 80kph should be applied and another 85th percentile speed survey taken to gauge community compliance with the proposed lower speed limit.*

*However, it was unanimously agreed by the Committee that the 80kph limit be extended to approximately 100m east of Raven Place to cover the Condong Range section of Clothiers Creek Road, whilst the limit on the remainder of the road is being investigated.*

This item was deferred to the meeting on 24 August 2001 as the RTA Representative was not at the meeting.

For Council’s information.

---

**GENERAL BUSINESS:**

**Part A**

1. **Brett Street / Boyd Street, Tweed Heads**

Request received for Local Traffic Committee assistance with the following concerns:-

1. The Cooloon Children’s Centre which is located on the corner of Park and Recreation Streets is concerned at their exposure to accidents from the location of their playground.

2. Parking restrictions in Boyd Street are requested as vehicles are being parked close to all corners at the intersection of Brett Street and Boyd Street making visibility difficult.

3. Enforcement of the speed limit on Boyd Street is sought as it is reported that vehicles travel in excess of the 50kph speed limit.

It is proposed that all the intersections in the vicinity of Boyd Street be assessed to ensure sight distance is adequate.

It was suggested that “No Stopping” restrictions be placed on Boyd Street to improve sight distance for vehicles turning right out of Brett Street as determined on site.

The Road Safety Officer undertook to place the advisory radar on Boyd Street and the Police have advised that they will follow up speeding vehicles in this area.

**RECOMMENDATION:**

That “No Stopping” restrictions be placed on all Boyd Street intersections to improve sight distance for vehicles turning right out of side streets, as determined on site.
Reports from Committees/Working Groups

2. Coast Road, Casuarina

Request received for Local Traffic Committee advice on the intersection of Coast Road with the Casuarina Beach Information Centre.

The Chairman reported that there have been a couple of minor accidents at the intersection with vehicles turning right out of the Information Centre.

It was suggested that the 80kph zone could be extended. It was suggested that the splitter island ‘Keep Left’ sign could be changed to a narrower sign.

The Police Representative raised concerns with the 50kph signage on approach to Cabarita Beach.

Mr Newell raised concerns with the layout of the intersection and the Committee requested that the design be checked for compliance with relevant design standards.

RECOMMENDATION:

That:-

1. The speed limit on Coast Road be reduced to 80kph from Casuarina to Cabarita Beach.
2. The double centre line be extended on Coast Road to cover the entrance to Camp Wollumbin.
3. The ‘Keep Left’ sign be replaced with a narrower ‘Keep Left’ sign.

3. Coast Road, Bogangar

Request received for Local Traffic Committee advice where southbound traffic is turning right into the Caltex Service Station over a painted median.

Deferred until the next meeting to enable further information to be collected.

In the meantime the Road Safety Officer undertook to investigate the extent of signage in that region.

For Council’s information.
Reports from Committees/Working Groups

4. Fraser Drive, Tweed Heads South

Request received for a pedestrian and vehicle survey on Fraser Drive, Tweed Heads South. It is reported that there are many families now living in the Vintage Lakes area with young children, many of whom must cross Fraser Drive to walk to school and sports activities.

Discussion took place on the existing footpaving and cycleway network and future proposals. A copy of the cycleway/walkway plan is to be forwarded to Mr Newell.

RECOMMENDATION:

That the provision of approximately 80m of footpath between Stradbroke Drive and the existing footpath on the side of the ovals adjacent to Fraser Drive and/or constructing a connecting bridge from Russell Way to Firestone Drive be investigated.

5. Pacific Highway, Murwillumbah

Request received for an extension of the 60kph speed limit on the Pacific Highway by at least 100m north due to the high numbers of children needing to cross the road to catch buses.

It is reported that a child was recently injured by a vehicle as he tried to cross the road to catch a bus.

Lowering of the speed limit to 60kph was not seen as a viable option by the Committee. Mr Newell suggested that a safety audit could be performed in relation to school bus routes.

RECOMMENDATION:

That Council writes to the Department of Transport requesting a review of the school bus route with a view to providing a northbound pick up service between Reserve Creek Road and Cane Road Condong.

6. Lundberg Drive and Quarry Road Intersection

Request received for the provision of a ‘Give Way’ sign on Lundberg Drive where it intersects with Quarry Road.

The Committee noted that the intersection is a terminating “T” and sight distance is adequate and therefore no ‘Give Way’ signage or linemarking is required.

For Council’s information.
Reports from Committees/Working Groups

7. Quarry Road and Reserve Creek Road Intersection

Request received for the installation of a safety mirror at the intersection of Quarry Road and Reserve Creek Road.

The physical constraints of the intersection make sight distance difficult however if vehicles obey the ‘Stop’ sign on Reserve Creek Road adequate sight distance is available. The RTA requirements for mirrors are not met at this intersection due to the speed of traffic.

For Council’s information.

8. Main Street, Uki (Uki Public School)

Request received for changes to the school 40kph signage outside the Uki Public School. School hours currently are 8:55am start and 2:50pm finish.

The signage currently reads 8:00 to 9:00am and 3:00 to 4:00pm.

The Uki Public School has requested that the times be changed to read:

8:00am to 9:15m and 2:45pm to 4:00pm.

The Police Representative raised concerns with the inconsistency of times for school commencement and finish.

The Road Safety Officer undertook to do an advertising campaign requesting that schools become more standard in the times of start and finish at school.

RECOMMENDATION:

That the signage at the Uki Public School be changed to read:-

8:30am to 9:30am and 2:30pm to 3:30pm.

9. Coast Road, Pottsville

Request received for modification of existing traffic calming devices on the Coast Road at Pottsville to minimise the potential traffic impact on pedestrians crossing at the pedestrian refuge.

Also a request to have the school zone extended 200m to the south of Pottsville School.
Reports from Committees/Working Groups

RECOMMENDATION:

That:-

1. The pedestrian refuge on Coast Road near no. 68 be reduced in size by .5m on the eastern side to alleviate possible conflict with pedestrians when funds are available.

2. The 40kph school zone on Coast Road be extended approximately 50m south.

10. Marine Parade, Kingscliff

Request received for limited parking on Marine Parade opposite the Bowls Club.

The Chairman reported that 5 minute parking has been requested. It is noted that the shop has not provided any privately owned on site car parking for the business and relies on using the public road, however this cannot be reserved for particular developments which is the intent of the 5 minute car parking.

The Committee requested that the owner be approached to investigate the provision of on-site parking for patrons on Marine Parade opposite the Bowls Club.

For Council’s information.

11. Tweed Terrace, Tweed Heads

Request received for action to be taken over the narrow piece of road from Tweed Terrace to the Point Danger Lookout as at weekends it is extremely congested and is claimed not to be wide enough for two-way traffic.

An aerial photograph of the area was viewed by the Committee and it was decided that linemarking be installed to designate the parallel parking provisions and that arrows be painted on the road pavement to designate the two-way traffic flow. It was noted however that traffic speed is low and no accident history is evident.

RECOMMENDATION:

That:-

1. Linemarking be installed on Tweed Terrace to designate the parallel parking provisions and

2. Arrows be painted on the Tweed Terrace road pavement to designate the two-way traffic flow.
Reports from Committees/Working Groups

12. Boat Ramp Mooball Creek

At the Council meeting held on 13 June 2001 as a consequence of a resolution from the Tweed Coastal Committee meeting on 4 April 2001 it was resolved that the Traffic Committee be requested to consider taking action to prohibit cars backing across Overall Drive in the vicinity of the Mooball Creek boat ramp.

The boat ramp in its current location is a traffic hazard due to lack of provision of any on-site car parking and manoeuvring areas which results in extensive use of Overall Drive as a turning and reversing area for vehicles with boat trailers. As Overall Drive is a trunk collector road carrying approximately 4,000 vehicles per day this is not considered to be a safe practice. The Committee discussed the potential for regulatory signage however this does not appear to be appropriate or easily enforceable. Therefore the Committee recommends that Council physically prevents access to the boat ramp or removes the boat ramp and investigates the provision of a suitable facility elsewhere in the area.

RECOMMENDATION:

That Council physically prevents access to the boat ramp into Mooball Creek located on Overall Drive or removes the boat ramp and investigates the provision of a suitable facility in the region.

NEXT MEETING:

The next meeting of the Local Traffic Committee is scheduled for Friday 24 August 2001.

The meeting closed at 11:40am.

Director's Comments:

Item 12:
It is recommended that this item be deferred to enable a report to be brought forward to Council covering all issues and options.

DIRECTOR'S RECOMMENDATIONS:

2. Proudfoots Lane, Murwillumbah

Committee Recommendation:

That:-

1. Proudfoots Lane be made one way from Brisbane Street to Nullum Street.
Reports from Committees/Working Groups

2. A “Stop” sign be installed on Proudfoot Lane at the Nullum Street exit.

**Director’s Recommendation:**
*That the committee's recommendation be endorsed.*

1. **Brett Street / Boyd Street, Tweed Heads**

   **R0740, R0700 DW609698**

   **Committee Recommendation:**

   That “No Stopping” restrictions be placed on all Boyd Street intersections to improve sight distance for vehicles turning right out of side streets, as determined on site.

   **Director’s Recommendation:**
   *That the committee’s recommendation be endorsed.*

2. **Coast Road, Casuarina**

   **R1180**

   **Committee Recommendation:**

   That:-
   1. The speed limit on Coast Road be reduced to 80kph from Casuarina to Cabarita Beach.
   2. The double centre line be extended on Coast Road to cover the entrance to Camp Wollumbin.
   3. The ‘Keep Left’ sign be replaced with a narrower ‘Keep Left’ sign.

   **Director’s Recommendation:**
   *That the committee’s recommendation be endorsed.*

4. **Fraser Drive, Tweed Heads South**

   **R2150 Pt2 DW609321**

   **Committee Recommendation:**

   That the provision of approximately 80m of footpath between Stradbrooke Drive and the existing footpath on the side of the ovals adjacent to Fraser Drive and/or constructing a connecting bridge from Russell Way to Firestone Drive be investigated.

   **Director’s Recommendation:**
   *That the committee’s recommendation be endorsed.*
Reports from Committees/Working Groups

5. Pacific Highway, Murwillumbah

Committee Recommendation:

That Council writes to the Department of Transport requesting a review of the school bus route with a view to providing a northbound pick up service between Reserve Creek Road and Cane Road Condong.

Director’s Recommendation:
That the committee’s recommendation be endorsed.

8. Main Street, Uki (Uki Public School)

Committee Recommendation:

That the signage at the Uki Public School be changed to read:
8:30am to 9:30am and 2:30pm to 3:30pm.

Director’s Recommendation:
That the committee’s recommendation be endorsed.

9. Coast Road, Pottsville

Committee Recommendation:

That:
1. The pedestrian refuge on Coast Road near no. 68 be reduced in size by .5m on the eastern side to alleviate possible conflict with pedestrians when funds are available.
2. The 40kph school zone on Coast Road be extended approximately 50m south.

Director’s Recommendation:
That the committee’s recommendation be endorsed.

11. Tweed Terrace, Tweed Heads

Committee Recommendation:

That:
1. Linemarking be installed on Tweed Terrace to designate the parallel parking provisions and
Reports from Committees/Working Groups

2. Arrows be painted on the Tweed Terrace road pavement to designate the two-way traffic flow.

Director’s Recommendation:
That the committee’s recommendation be endorsed.

12. Boat Ramp Mooball Creek

Committee Recommendation:
That Council physically prevents access to the boat ramp into Mooball Creek located on Overall Drive or removes the boat ramp and investigates the provision of a suitable facility in the region.

Director’s Recommendation:
That this item be deferred to enable a report to be brought forward to Council covering all issues and options.
Reports from Committees/Working Groups

MINUTES CIRCULATED TO COUNCILLORS WITH THIS AGENDA NOT REQUIRING A COUNCIL DECISION

3. Minutes of the Vegetation Management Plan Steering Committee Meeting held Tuesday 22 May 2001
4. Minutes of the Special Meeting of the Tweed River Management Plan Advisory Committee held Wednesday 4 July 2001
5. Minutes of the Aboriginal Advisory Committee Meeting held Tuesday 26 June 2001
6. Minutes of the Local Environmental Plan Advisory Committee Meeting held Tuesday 10 July 2001
7. Minutes of the Tweed Shire Occupational Health & Safety Committee Meeting held Wednesday 11 July 2001
8. Minutes of the Tweed Dune Care Advisory Committee Meeting held Thursday 12 July 2001
9. Minutes of the Sports Advisory Committee Meeting held Thursday 17 July 2001
10. Minutes of the Public Transport Working Group Committee Meeting held Wednesday 18 July 2001
11. Minutes of the Local Environmental Plan Advisory Committee Meeting held Tuesday 24 July 2001
Orders of the Day

1. Notice of Rescission - Cr Brinsmead, Cr Marshall and Cr Youngblutt

Tweed River Regional Art Gallery

DA3488/12 Pt1, Art Gallery-General, Notice of Rescission

That Council resolution at Minute No 8 in relation to Item 2 of the Meeting held 18 July 2001 being:-

"..... that Council:-

1. Endorses its support for the “Greenfield” site for the Tweed River Art Gallery.

2. Proceeds with the Development Application for the Art Gallery on the “Greenfield” site.”

be rescinded.

2. Notice of Motion - Cr Boyd

Kynnumboon Bridge

Notice of Motion; Bridges - Kynnumboon

That Council advises the Roads and Traffic Authority of its strong support for the demolition of the old Kynnumboon Bridge and its replacement on the same site with a new reinforced concrete bridge.

3. Notice of Motion - Cr Boyd

HACC Centre, South Tweed Heads

Notice of Motion; South Tweed Community Centre; HACC

That Council grants the Blind and Visually Impaired Support Group free use of the meeting room in the HACC Centre at South Tweed Heads for their meetings on 15 August, 17 October and 12 November 2001.
Workshops

Councillors,

Following are details of upcoming Workshops of Council:-

1. **Tweed Economic Development Corporate and Council (Economic Development Strategy)**
   - **Date:** 8 August 2001
   - **Time & Duration:** 7.30pm – 8.30pm
   - **Organiser:** Ian Carpenter
   - **Resolved by Council:** Scheduled by EMT (meeting 11 July 2001)

2. **Agenda 21**
   - **Date:** 22 August 2001
   - **Time & Duration:** 4.00pm – 5.00pm
   - **Organiser:** Director Environment & Community Services
   - **Resolved by Council:** Rescheduled by EMT (meeting 11 July 2001)

3. **Anchorage Development Workshop**
   - **Date:** 22 August 2001
   - **Time & Duration:** 5.30pm – 6.30pm
   - **Organiser:** John Griffin
   - **Resolved by Council:** For endorsement