Items for Consideration of Council

Schedule of Outstanding Resolutions

Mayoral Minute

Items Deferred

1. ORIGIN: Development Assessment Unit
   Deferred Matter - Extensions to Kingscliff Village Shopping Centre at Lot 20 DP 771632, Lots A & B DP 396088 and Lot 2 DP 582165 Pearl Street, Kingscliff

4. Councillors’ Phone Numbers in Link

4. Notice of Motion - Cr Brinsmead
   Kingscliff Tourism Site, South Kingscliff (Lot 490)

5. Notice of Motion - Cr Brinsmead
   Kingscliff Tourism Site, South Kingscliff (490)

Reports from Director Development Services

1. ORIGIN: Strategic Town Planning Unit
   Strategic Planning Work Program

2. ORIGIN: Development Assessment Unit
   Extensions to the Kingscliff Village Shopping Centre at Lot 2 DP 582165 No. 28 Pearl Street, Kingscliff

3. ORIGIN: Development Assessment Unit
   Proposed Motorcycle Events – Five (5) Events Per Year until 2005 at Murwillumbah Showground - Queensland Road, Murwillumbah

4. ORIGIN: Development Assessment Unit
   The Erection of a Dwelling House and Conversion of An Existing Dwelling House to Tourist Accommodation at Lot 12 DP 862591 Limpinwood Valley Road, Limpinwood
## Reports from Director Corporate Services

5. ORIGIN: General Manager
   **Reduction in Number of Delegates to Far North Coast County Council**

6. ORIGIN: Financial Services Unit
   **Financial Report for Period Ending November 2000**

7. ORIGIN: Financial Services Unit
   **Financial Indicators - 1998/1999 Comparative Information on NSW Councils Provided by the Department of Local Government**

8. ORIGIN: Director
   **Tweed Economic Development Corporation (TEDC) Monthly Performance Report - November 2000**

## Reports from Director Engineering Services

9. ORIGIN: Planning & Design Unit
   **Proposed Road Closure and Purchase - Nobbys Creek Road Adjacent to Lot 1 DP 861505**

10. ORIGIN: Director
    **Water Supply and Sewerage Performance Reporting**

11. ORIGIN: Planning & Design Unit
    **Tyalgum Water Supply Reservoir Site**

12. ORIGIN: Director
    **Regional Plantation Transport Infrastructure Committee**

13. ORIGIN: Water Unit
    **Cudgen Creek Dredging in Vicinity of Boat Ramp**

## Reports from Director Environment & Community Services

14. ORIGIN: Recreation Services Unit
    **Options to Deal with Destruction of Dunal Vegetation**

15. ORIGIN: Environment & Health Services Unit
    **Tweed Cultural and Performing Arts Society**
TWEED SHIRE COUNCIL MEETING HELD WEDNESDAY 20 DECEMBER 2000

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2. Minutes of the Tweed River Management Plan Advisory Committee Meeting held Wednesday 29 November 2000 173
3. Minutes of the Local Traffic Committee Meeting held Thursday 14 December 2000 179

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4. Minutes of the Aboriginal Advisory Committee Meeting held Monday 30 October 2000 185
5. Minutes of the Tweed Shire Local Emergency Management Committee Meeting held Tuesday 7 November 2000 185

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1. Notice of Motion - Cr Marshall 187
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3. Notice of Motion - Cr Luff 187
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4. Notice of Motion - Cr Luff 187
   Mayoral Car 187
Reports from Director Development Services in Committee

1. ORIGIN: Development Assessment Unit

   Excavation of a Dam in Acid Sulfate Soils at Lot 2 DP 612314 Pacific Highway, Chinderah

   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 Corporate Services in Committee

2. ORIGIN: Administration Services Unit

   Tender AC2000125 for the Supply, Installation and Commissioning of Hewlett Packard Server and Rack

   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: Financial Services Unit

   Operating Lease: Information Technology Equipment

   Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

4. ORIGIN: Financial Services Unit/Building Services Unit

   Guarantee & Security for Road Contribution Lot 2 DP 874346 Piggabeen Road

   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

5. ORIGIN: Financial Services Unit

   Outstanding Rates - Assessment No. 1-9330/5 - Pamela Beecheno (Love)

   Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2) (b) the personal hardship of any resident or ratepayer

Reports from Director Environment & Community Services in Committee

6. ORIGIN: Recreation Services Unit

   Request for Naming of Road or Lookout - Hastings Points

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

7. **ORIGIN: Recreation Services Unit**

   **Naming of Park - Fingal Road - "Everson Park"**

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

#### 16 AUGUST 2000

**REPORTS FROM DIRECTOR CORPORATE SERVICES**

12. **First Round Donations - 2000/01**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>185</td>
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**Cr Luff**  
**Cr James**  

RESOLVED that a report be brought forward to Council on the allocation of funds from the donation amount towards the purchase of equipment to read the microfilmed copies of the Daily News.

**Current Status:** To be finalised.

#### 20 SEPTEMBER 2000

**REPORTS FOR DIRECTOR ENVIRONMENT & COMMUNITY SERVICES**

27. **Awnings over Footpaths - Risk Management Policy and Procedures**

<table>
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<tr>
<td>335</td>
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**Cr Luff**  
**Cr Marshall**  

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

**Current Status:** To be finalised.
4 OCTOBER 2000

REPORTS FROM SUB-COMMITTEES

2. Minutes of the Tweed Dune Care Advisory Committee Meeting held Thursday 14 September 2000
7. Bush Fires, Hastings Point

RESOLVED that Council brings together Department Land and Water Conservation, National Parks and Wildlife Services, the Senior Fire Control Officer, and Council staff to develop a bushfire plan of management for various bushland areas.

Current Status: Meeting held in December. Plan preparation progressing.

18 OCTOBER 2000

REPORTS FROM DIRECTOR CORPORATE SERVICES

8. Quarterly Budget Review - 30 September 2000

RESOLVED that a report be brought forward to enable consideration of the remaining 9 months of the current budget, and the Councillors communicate to the General Manager items to be considered in the review.

Current Status: Report to be finalised.

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

4. Bush Fires, Hastings Point

RESOLVED that Council:-

1. Mounts an investigation to determine who was responsible for the fire in the SEPP 26 Littoral Rainforest at Hastings Point.

2. Takes appropriate action on the outcome of the investigation.
Schedule of Outstanding Resolutions

Current Status: Investigation Progressing.

1 NOVEMBER 2000

REPORTS FROM DIRECTOR ENGINEERING SERVICES

1. McAllisters Road, Farrants Hill Road Sealing
   Farrants Hill Rd, R2000 Pt1, McAllisters Rd, R3130 Pt1

   465
   Cr Boyd
   Cr Brinsmead

   RESOLVED that Council:-

   1. Requests a report as outlined in the Director Engineering Services’ memo to Councillors on gravel roads dated 24 October 2000 and
   2. Formulates a firm policy based upon this report.

   Current Status: Report being prepared for first or second meeting 2001.

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

21. Works Program for Toilet Block Construction Purposes

   472
   Cr Youngblutt
   Cr Lawrie

   RESOLVED that:-

   1. Council adopts the following construction works program for public toilets:
      • Hastings Point refurbishment
      • Cudgen Headland toilet service provision
      • Pioneer Park toilets sewer connection
      • Boyds Bay Boat Hire & Tweed Heads Rowing Club sewer connection
      • Knox Park, Murwillumbah Community Centre toilet replacement
   2. The Director Environment & Community Services be requested to bring forward a report on the Queen Street toilet block as a matter of urgency.
3. A report be submitted on the upgrading of the toilet block at Minjungbal Drive, South Tweed Heads.

**Current Status:** Part report to 20 December meeting – balance to January meeting.

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**15 NOVEMBER 2000**

**REPORTS FROM DIRECTOR DEVELOPMENT SERVICES**

5. **Draft Rural Settlement Strategy**

**Rural Settlement Strategy**

**512**
Cr Marshall
Cr Youngblutt

**RESOLVED** that this item be deferred to allow for discussion with the Strategic Planning Committee in a workshop.

**Current Status:** Workshop to be arranged.

---

**ORDERS OF THE DAY**

1. **Road Contribution - Arkinda Garden Centre**

**DA5940/460 Pt1, Notice of Motion**

**527**
Cr Polglase
Cr Lawrie

**RESOLVED** that Council:-

1. Defers any current legal action in relation to the Arkinda Garden Centre and Café.

2. Reconsiders the requirement for road contribution for this development once the review of the Tweed Road contribution Plan No 4 (TRCP) has been completed and determined.

**Current Status:** Proposed Policy Statement on exhibition.

**528**
Cr Boyd
Cr Carroll

**RESOLVED** that officers bring forward a detailed report on the background to the Arkinda Garden Centre and Café application, together with a report that covers those examples of businesses in Murwillumbah which have paid the road development contribution, and those examples indicated by Councillors of businesses which haven’t paid road development contributions.
QUESTION TIME

1. Employee Assistance Program

Cr Marshall  

Asked could the General Manager bring forward a report on the impact of the deletion of the employee assistance program from this year’s budget and the possible reinstatement of the program using funds saved by the work of the Friends of the Pound.

The Acting General Manager responded that a report would be brought forward for consideration at the December quarterly budget review.

Current Status: Report to be prepared 2001 following consideration of this item at the next Quarterly Budget Review.

6 DECEMBER 2000

MAYORAL MINUTE

1. Proposal for Paid Maternity Leave

536  
Cr James  
Cr Carroll

RESOLVED that a report be prepared on paid maternity leave including an account of any past submissions to or from the Union, the LGSA and Council.

Current Status: Report to January meeting.

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES


553  
Cr Boyd  
Cr Brinsmead

RESOLVED that this item be deferred for a Workshop to be held on 31 January 2001.
Schedule of Outstanding Resolutions


14. Erection of Two (2) Farm Sheds for the Purpose of Fruit Packaging (Bananas) and Timber Milling at Lot 2 DP 262635 Baria Road, Burringbar

DA0425/20 Pt1

556
Cr Brinsmead
Cr Boyd

RESOLVED that this item be deferred on the request of the applicants, to allow the applicant time to ameliorate noise and to allow the Director to arrange an inspection by Councillors.

Current Status: Awaiting response from applicant. Inspection to be arranged.

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES:

28. Access Track at End of Bosun Boulevard, Oxley Cove

Parks – Maintenance, Rubbish – Illegal Dumping

570
Cr Lawrie
Cr Youngblutt

RESOLVED that this item be deferred to allow a further report to be brought forward from staff investigating a suitable location for installing an appropriate barrier.

Current Status: Being investigated.

OUTSTANDING INSPECTIONS

1. Council Land - Mt Nullum

Land Development – Mt Nullum

596
Cr Boyd
Cr Luff

RESOLVED that this inspection be brought forward at a later date.

Current Status: Date to be determined.
Mayoral Minute

Councillors,

1. Compliments of the Season

In the spirit of Christmas I wish all Councillors and their families a really great Christmas and hope that Year 2001 will be a good start to the new millennium.

Hope Santa comes to all of those who have been good in 2000.

2. Australian Wheelchair Dance Academy

A letter of appreciation has been received from the Australian Wheelchair Dance Academy.

This letter forms an attachment to the Business Paper.
Items Deferred

ITEM DEFERRED FROM MEETING 15 NOVEMBER 2000

1. Deferred Matter - Extensions to Kingscliff Village Shopping Centre at Lot 20 DP 771632, Lots A & B DP 396088 and Lot 2 DP 582165 Pearl Street, Kingscliff

DA4170/100 Pt3

500
Cr Boyd
Cr Marshall

RESOLVED that this item be deferred to allow the applicant to have further discussions with Council staff.

This item is the subject of a further report at Item 2 of the Agenda.

1. ORIGIN: Development Assessment Unit

FILE REF: DA4170/100 Pt2

REPORT TITLE:

Deferred Matter - Extensions to Kingscliff Village Shopping Centre at Lot 20 DP 771632, Lots A & B DP 396088 and Lot 2 DP 582165 Pearl Street, Kingscliff

SUMMARY OF REPORT:

This report provides an assessment of amended plans submitted for Kingscliff Village Shopping Centre. The amended plans are a significant improvement on the proposal Council previously considered. However, it is considered that issues regarding urban design, pedestrian linkages and impact on adjacent land have still not satisfactorily been addressed having regard to the importance of the site and the development proposal would be detrimental to Kingscliff.

RECOMMENDATION:

That development application by Chen-Yu Pty Ltd for extensions to Kingscliff Shopping Centre at Lot 20 DP 582165 and Lots A and B DP 396088 Pearl Street, Kingscliff be refused for the following reasons:-

1. The proposed development will have adverse impacts on the quality of the urban environment, urban design and architectural presentation of Kingscliff.

2. The proposed development is contrary to the objectives and provisions of the Kingscliff Urban Design Plan and draft Kingscliff Development Control Plan.
3. The proposed development is an overdevelopment of the site having regard to the existing site constraints and the designs for loading, servicing, car parking and traffic manoeuvring are undesirable.

4. The proposal fails to consider future amenity and design issues in the locality and proposed development would have detrimental effects on the quality of the potential development and residential amenity of the land adjacent to the west.

5. The proposed development would be detrimental to the fulfilment of Kingscliff’s potential for high order economic benefits based on tourism and residential growth.

6. The proposed development does not provide pedestrian linkages to adjoining sites and encourage pedestrian movements through the site.

7. The plant room and loading dock positioning and height will have unacceptably adverse effects on the development design and future residential amenity on adjacent land.
REPORT:

Applicant: Mr C Moeller  
Owner: Chen-Yu Pty Ltd  
Location: Lot 20 DP 771632, Lots A & B DP 396088 and Lot 2 DP 582165 Pearl Street, Kingscliff  
Zoning: 3(b) General Business  
Est. Value: $1.7 million

BACKGROUND

Council at its meeting on 7 June 2000 considered a development application for extensions to Kingscliff Shopping Centre.

The report presented to Council at that time recommended refusal of the application for the following reasons:-

1. The number of car parking spaces proposed to be provided does not comply with the provisions of DCP2 - Site Access and Parking Code.

2. Traffic circulation is not satisfactory in respect of manoeuvring required to access the loading dock/garbage bin storage area for speciality shops which is adjacent to south western property boundary.

3. Inadequate information in relation to delivery vehicle sizes has been submitted to determine the suitability of the loading facility for the proposed fast food outlets.

4. The proposal is likely to have an adverse impact on the potential future development of land to the south west for residential purposes in respect to visual impact and overshadowing.

5. The proposed development will not promote pedestrian activity in Turnock and Pearl Streets.

6. The proposed development will not make a positive contribution to the commercial area of Kingscliff in terms of overall urban design and fails to meet the objectives of the draft Kingscliff Urban Design Plan.

7. Information required to satisfy the provisions of Clause 35 of the Tweed Local Environmental Plan 2000 has not been submitted.

8. The proposal is inconsistent with the provisions of the Tweed Shire 2000+ Strategic Plan.”

Council at this meeting resolved this matter be deferred to enable the applicant to improve the application to respond to the reasons for refusal recommended in the report and the Director of Development Services report back to Council in 8 weeks (A status report was submitted to Council after 8 weeks).
The applicant has now submitted a revised design and amended Statement of Environmental Effects. Attached is a copy of the previous Council report. This report should be read in conjunction with the previous report.

AMENDMENTS TO THE PROPOSAL

The applicant has made a number of variations to the proposal which was previously considered by Council at its meeting of 7 June 2000. These are summarised as follows:-

- The setback from the adjacent zoned residential land has been increased to 6m for the majority of the length of the wall. As a result, the landscaped buffer has been increased. A amended landscape plan has been submitted.
- The height of the supermarket wall adjacent to the residential land has been reduced from 6.7m to 6.0m.
- The existing loading dock is proposed to be excavated below floor level.
- The amount of earthworks proposed has been substantially reduced. This has been achieved by deleting the proposal to excavate the car parking area on the corner of Turnock Street and Pearl Street.
- The internal manoeuvring area and car parking that was previously proposed between the speciality shops and Turnock Street has been removed. The supermarket/speciality shops have been extended towards Turnock Street to provide a walkway and awning adjacent to the street.
- The parking layout has been altered to include parking in Turnock Street.
- The overall design and architectural form of the proposed building has been altered. Amended plans will be available for viewing in the Council chamber.
- Details including elevations, of the future stage 2 have been provided.
- The proposal for fast food outlets adjacent to the service station has been deleted.

In support of the amended application the applicant has submitted as part of the revised Statement of Environmental Effects a revised architectural statement from Fulton Trotter and Partners, a access, traffic, parking, earthworks, drainage and acid sulfate soil impact assessment prepared by Martin Findlater & Associates Pty Ltd and a letter from James Hardy Acoustic Consultants confirming that their previous recommendations in regards to noise has not changed as a result of the amended proposal.

ASSESSMENT OF CHANGES

The adequacy to which the applicant has addressed the recommended reasons for refusal in Council’s report dated 7 June 2000 are provided below:-

“I. The number of car parking spaces proposed to be provided does not comply with the provisions of DCP2 – Site Access and Parking Code”

An additional 86 on site car parking spaces are proposed to be provided. In addition, 19 car parking spaces are proposed to be provided along Turnock Street adjacent to the proposed
speciality shops. Therefore, including both the on street and off street spaces, a total of 105 additional car parking spaces would be provided. Taking into account the existing floorspace and proposed stage 1 floor space, a total of 307 car parking spaces are required. However, applying the 20% reduction permitted under DCP2 for the purpose of encouraging ecologically sustainable development (ESD) this number may be reduced to 247 spaces. The applicants amended proposal provides for 251 car parking spaces.

The amended proposal therefore generally complies with the provision of DCP2 with the exception of the provision of 19 of those spaces on the street rather than within the development site. This is considered acceptable under the circumstances, and creates a more interesting streetscape balanced in conjunction with the pedestrian walkway now proposed along the frontage of the site.

“2. Traffic circulation is not satisfactory in respect of manoeuvring required to access the loading dock/garbage bin storage area for speciality shops which is adjacent to south western property boundary”.

The building setbacks and traffic circulation areas have been amended and would provide for adequate manoeuvring.

The amended proposal has been reviewed by Council’s Traffic Engineer and the amended proposal is considered satisfactory subject to some minor amendments.

“3. Inadequate information in relation to delivery sizes has been submitted to enable the suitability of the loading facility for the proposed fast food outlets”.

The proposed fast food outlets have been deleted from this proposal.

“4. The proposal is likely to have an adverse impact on the potential future development of land to the south west for residential purposes in respect of visual impact and overshadowing”.

The amended proposal provides for a setback of 6m along part of the south western property boundary and reduced wall and roof height to approximately 6m measured from natural ground level. The previous roof height was 6.687. The loading dock and plant room are still located on the boundary and extend to a height of approximately 9.5 metres. It is proposed to place lattice on this structure and allow vines to grow over it. This however does not reduce the bulk and height of the structure. It is considered that the location of this structure will be detrimental to the development of the adjoining land.

A shadow diagram has been provided which demonstrates shadow impacts have been reduced by decreasing the overall height of the supermarket and increasing the setbacks. A shadow of approximately 25m will extend into the land to the west at 9am midwinter from the plant room.

The applicant has addressed the issue of visual impact by:

a. providing a greater boundary setback as described above;

b. providing architectural or landscape treatment of the supermarket wall where it has a zero setback;
c. providing dense landscaping within the setback area to soften and intercept views of the wall; and

d. by reducing the overall height of the supermarket walls and roof.

These measures are considered to be significant improvements with the exception of the plant room. Landscaping softens the appearance of the structure however does not reduce the bulk.

“5. The proposed development will not promote pedestrian activity in Turnock or Pearl Streets”.

The amended plans provide for speciality shops adjacent to Turnock Street and incorporate a covered pedestrian walkway. The applicant has also provided details of a future stage 2 comprising a two storey building at the corner of Pearl and Turnock Streets and along Pearl Street itself. Stage 2 also involves the erection of a second level of car parking behind the proposed shops fronting Pearl Street.

At the north western end of the walkway a bicycle parking area is proposed. This combined with the proposed on street parking will restrict pedestrian movement to and from the west along this frontage.

“6. The proposed development will not make a positive contribution to the commercial area of Kingscliff in terms of overall urban design and fails to meet the objectives of the draft Kingscliff Urban Design Plan”.

The overall design of the buildings have been changed to the previous proposal. Retail shop frontages are provided facing Turnock Street, adjacent to the proposed supermarket. Car parking in this location has been relocated to Turnock Street (on street parking) rather than on site adjacent to the shops. It is also proposed as part of stage 2 to provide a 2 storey retail/commercial development on the corner of Pearl Street and Turnock Street. This would strengthen this corner location and assist in providing a statement as part of the eastern approach to the shopping centre in the future. This application does not seek approval for Stage 2. This subsequent stage would be subject to a further development application. The provision of a covered walkway and pedestrian shop and speciality shops adjacent to Turnock Street add interest to the development. There is no timing commitments to Stage 2.

The design principles of Kingscliff’s Urban Design Plan, relevant to this development, are to encourage developments which provided pedestrian links between streets, arcades and parks while encouraging quality development.

The revised proposal provides limited linkages through the site with pedestrian movement from future development to the west being largely directed around the site.

Concern is also raised regarding the proposed two storey parking as part of Stage 2. A elevated cement car park located in the centre of the site located just behind the Pearl Street frontage is not considered to be a positive design element.

This structure will be visible from the Pearl Street entrance to the development and from the north along Pearl Street. This will result in a negative visual impact when viewed from Pearl Street and is considered unacceptable.
The location of the site at the intersection of Turnock and Pearl Streets creates a need to ensure that any development on the eastern corner of the site provides a significant statement in terms of being a “gateway” to Kingscliff.

The applicant has attempted to address this issue by providing concept plans for two storey shops on this corner as part of a future Stage 2 to the development. Approval for this stage is not sought as part of this development application and as part of Stage 1 it is proposed to construct carparking on this corner of the site.

Concern is raised that there is no certainty regarding Stage 2 in terms of when this will proceed, if at all.

Therefore, in considering this application consideration should largely be restricted to the Stage 1 component which provides for a relatively large carpark area on one of the most, if not the most, significant corner sites in Kingscliff.

The development of this site offers a relatively unique opportunity for a development which could greatly assist in determining the future character of Kingscliff, and as such any development of this site should provide good street presentation on this corner. The construction of a car parking area does not achieve this.

“7. Information required to satisfy the provisions of Clause 35 of Tweed Local Environmental Plan 2000 has not been submitted”.

In accordance with Clause 35 the applicant has now submitted a preliminary acid sulfate soils management plan. Council’s Environment and Health Unit have reviewed this plan and consider it to be satisfactory.

“8. The proposal is inconsistent with the provisions of Tweed Shire’s 2000+ Strategic Plan”.

Section 104 of this Strategy states:-

“Contemporary urban design principles to maximise the desirability of town and district centres for public use. Consideration will be given to social interaction, recreation, amenity, culture, delivery of support services and transaction of commerce”.

The revised design is a significant improvement on achieving this objective however, pedestrian movement through the site is still largely restricted.

PUBLIC CONSULTATION

The amended application was referred to Gales Holdings who previously made a submission and owns adjoining land to the proposed development. A detailed submission has been received objecting strongly to the proposal (copy attached). Issues of major concern to Gales Holding are:-

- overdevelopment of the site
- visual impacts
- lighting from the shopping centre extensions
Items Deferred

- drainage
- carparking and traffic
- draft Kingscliff Urban Design Strategy

Comment

Overdevelopment of the site

It is considered that there is merit in their submission that the proposal is a overdevelopment of the site. This is reflected by the need to provide parking along Turnock Street to meet the requirements of Council’s DCP2, the difficulty in providing parking for any future Stage 2 and the overall adverse impacts on urban form in Kingscliff.

Visual Impacts

The location of the plant room on the boundary will result in adverse visual impact when viewed from any future development to the west. The acoustic barrier will also result in some impact however would be acceptable subject to appropriate treatment.

Lighting

Lighting could be controlled by appropriate shielding.

Drainage

Comments have been received from the Engineering Division raising no issues in regard to the proposed drainage.

Carparking and Traffic

It is agreed that the location of parking and traffic circulation within the site is not ideal. The application has been considered by the Regional Advisory Committee who advised as follows:-

1. A protected right turn lane in Turnock Street should be provided for traffic entering the site via the proposed eastern entrance.

2. This proposal is likely to generate pedestrian movements across Turnock Street, to accommodate pedestrians a pedestrian refuge should be provided east of the Turnock Street entrance. The refuge could be provided in the median for the right turn bay.

3. Parking for developments should be generally provided on site. However, if angle parking is to be provided on Turnock Street sufficient road width for a parking lane should be provided, this will allow vehicles to stand clear of through traffic when entering and leaving parking spaces.

4. Sufficient land on the northeast corner of the site should be reserved for any future intersection improvements at the intersection of Turnock and Pearl Streets.

5. The bicycle parking shown on the northwest corner of the site obstructs the pedestrian walkway and should be relocated.
Items Deferred

6. The internal road layout and pedestrian access is less than ideal. However retention of existing buildings constrains more effective provision for vehicle and pedestrians movement about the site.

7. Provision of a raised median in Turnock Street will be necessary to prevent parked vehicles reversing across the road to travel east. To reduce traffic conflicts this median could be extended west past the western Turnock Street entrance to the site. This will prevent right turns into the service bay area.

8. Stage 2 submissions should include improvements to the vehicle access and circulation for the proposed overhead car parking area.”

Should Council wish to support the application the applicant should be required to provide amended designs addressing the above points to ensure compliance can be achieved particularly in relation to provision of the on-street parking spaces.

Council’s Traffic Engineer has also reviewed the revised proposal and raised no objections subject to a number of relatively minor changes.

Draft Kingscliff Urban Design Plan

Gales Holdings submits that little weight should be given to the plan as it is not adopted by Council. The principles and design provisions contained in this plan however are considered relevant. The Plan has been highly relevant to assessment of a number of important development applications over the last two years with positive results. It is now being applied in the draft Kingscliff DCP.

Engineering Comments

“There are several issues that need to be addressed and incorporated in a revised plan of Plan AR102/B to simplify conditions on any consent. These issues are: -

(a) Turnock Street on street parking – spaces numbered 18 and 19 are to be deleted as manoeuvring into and out of these spaces conflicts with the movements into and out of the major access road.

(b) Pedestrian movements are not sufficiently considered in the Plans along Turnock Street. A 1.2 metre wide concrete path is required from Pearl Street to the access road including a transition area to a 3-metre wide full width concrete path from the access driveway to the western boundary where a transition area back to the public road reserve is required. This also involves the relocation of the Bicycle parking.

(c) A 3 metre wide right of way over the above footpath is to be shown on the plan and a condition requiring its creation on the title will need to be imposed.

(d) The pedestrian pathway across the Turnock Street access is to be on a raised platform complying with relevant standards.

(e) A speed bump is required on the delivery/service dock located so as to be adjacent to the pedestrian travel path.

(f) The pedestrian crossings between car spaces 96 and 97 and spaces 59 and 60 and spaces 86 and 20 are to be on raised platforms complying with relevant standards.
Items Deferred

(g) The kerb lines between spaces 104 and 105 and space 108 to the corner of the unit site are to be realigned to better guide traffic.

(h) Car spaces 86 and 87 be reorientated to provide 2 parallel spaces designated for drop off/pick up parking only which will minimise the potential for congestion at the exit caused by pick up/set down manoeuvres.

(i) A bus shelter is to be provided at the Turnock Street bus zone including full width concrete paving in this location. The bus shelter is to be set behind the property boundary line. At stage 2 the form of the bus shelter can be reassessed to complement the proposed development.

(j) The Turnock Street access is to be constructed as an at grade intersection using kerb returns.

The above issues (a to j) can easily be addressed by an amended plan, which is considered more appropriate than trying to word conditions.

Traffic

The proposed Stage 1 is slightly larger than the current centre and will be 55% of the total area of shopping centre. Traffic generated by the combined centre is estimated to be 3572 vehicles per day excluding the service station and the traffic attributable to the Stage 1 development is estimated at 1976 vehicles per day.

The traffic generated by the centre will be split between the existing entry in Pearl Street and the new access in Turnock Street.

As Turnock Street is a distributor road a channelised right turn lane is to be constructed at this access to minimise impacts on through traffic (see draft condition). The raised concrete central median is to extend to the service bay access at the western end of the site to prevent traffic turning right into the angle parking bays.

Parking

The use of Turnock Street to provide 19 angle car spaces raises an equity issue in that the development utilises public land at no cost to provide required car parking. This is a different situation to that where DCP 2 requirements are provided on site and the additional on road parking is in excess to the requirement. However, Part 4.4 of DCP 2 permits this under certain circumstances.

CONCLUSION

It is considered the revised development proposal is a significant improvement to that of the previous proposal. However, still fails to achieve a satisfactory outcome having regard to the significance of the site. The proposal does not provide any continuity of development along the Pearl Street frontage and fails to satisfactorily address the design principles appropriate to the site and this sector of Kingscliff –as in part contained in the Kingscliff Urban Design Plan, particularly, in reference to the north eastern corner of the site and provisions of pedestrian linkages through the site. The proposal to provide a two storey concrete car park on the site is considered to be very unsatisfactory from a streetscape perspective.
Items Deferred

There would be significant benefits in the new retail opportunity, employment and services resultant from approval of this application. However, safeguarding the quality of planning and development in Kingscliff is the key to fulfilling the town’s very high potential for tourism based growth and economic benefits. This proposal is detrimental to Kingscliff fulfilling that potential. The application is therefore recommended for refusal.

OPTIONS

1. Advise the applicant that subject to amendments to the plan being made in accordance with the engineering services comments contained in this report Council will support the application.

2. Refuse the application as recommended.

LEGAL/FINANCIAL/RESOURCE IMPLICATIONS

If the applicant is not satisfied with Council’s determination they have a right of appeal to the Land and Environment Court.
Items Deferred
ITEM DEFERRED FROM MEETING 6 DECEMBER 2000

MAYORAL MINUTE

4. Councillors’ Phone Numbers in Link

Councillors General

538
Cr Marshall
Cr Lawrie

RESOLVED that Council defers this matter until the meeting of 20 December 2000.

4. Councillors’ Phone Numbers in Link

Councillors General

A request has been received that Councillors’ home phone numbers be published in each issue of the Link

ORDERS OF THE DAY

4. Kingscliff Tourism Site, South Kingscliff (Lot 490)

Notice of Motion, DA1190/115-S Pt1

600
Cr Brinsmead
Cr Youngblutt

RESOLVED that this item be deferred to the next Council meeting.

4. Notice of Motion - Cr Brinsmead

Kingscliff Tourism Site, South Kingscliff (Lot 490)

Notice of Motion, DA1190/115-S Pt1

That Council recommends that the Tweed Coast Reserves Trust should:

1. Hand back the sole management of the 25.5 hectare Kingscliff tourism site at South Kingscliff (Lot 490) to the Department of Land and Water Conservation, and that the Trust takes no further part in formulating any Plan of Management or in any negotiations regarding the future of this parcel of Crown Land.

2. Request that the Department of Land and Water Conservation should make up the shortfall of Council’s caring for the Tweed Coast Crown Reserves, or otherwise the Department of Land and Water Conservation should be asked to take back the care and management of all Crown Land.
Items Deferred

5. Kingscliff Tourism Site, South Kingscliff (490)

Notice of Motion, DA1190/115-S Pt1

601
Cr Brinsmead
Cr Youngblutt

RESOLVED that this item be deferred to the next Council meeting.

5. Notice of Motion - Cr Brinsmead

Kingscliff Tourism Site, South Kingscliff (490)

Notice of Motion, DA1190/115-S Pt1

That Council writes to the Local Member, Mr Neville Newell and expresses its disappointment that he should make some very inaccurate comments regarding Tweed Shire Councillors having a conflict of interest in respect to the management of the tourism site (Lot 490) at South Kingscliff (see Tweed Shire Development Hansard, 22/11/2000) when in fact our General Manager and our legal advisers have declared there is no conflict of interest on the part of the Trustees whatsoever. Further, that Council should ask the Local Member to apologise for speaking of the majority of the Councillors in this chamber in terms that were both derogatory and personally insulting.
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.
REPORT TITLE:

Strategic Planning Work Program

SUMMARY OF REPORT:

There are no resources available to include new projects in the Program, except the Action Sands Draft Local Environmental Plan.

RECOMMENDATION:

That:-

1. Council’s Strategic Planning Work Program for the period to June, 2001 comprises the following:

High Priority:

2. Housing: Review of Residential Development Strategy – including a rural settlement component; Housing Strategy based on DUAP funded position and finalisation of dual occupancy policy.
4. Kingscliff Town Plan – DCP.
7. S94 Plans (particularly Community Facilities and Open Space).
9. Kings Forest/Kings Beach planning framework comprising Kings Forest LES, DCP and S94 Plan; Kings Beach Strategic Policy, S94 Plan and Seaside City review.

Medium Priority:

11. LEP Amendment No 40 – Hansen Property, Bogangar.

2. Council:

(a) Informs the Regional Director of the Department of Urban Affairs and Planning that in accordance with S54 of the Environmental Planning and Assessment Act it is proposed to prepare a draft Local Environmental Plan Amendment to adjust the zone boundary between Zone 4(a) and 3(d) at Lot 9, DP 830659;
(b) Informs the Regional Director that it does not consider an Environmental Study is required;

(c) Requires the proponent to fund a planning consultant to prepare the Draft Amendment.
REPORT:

Council adopts a Strategic Planning Work Program at 6 monthly intervals.

The progress in respect of nominated elements of the Program are set out in Appendix 1. In addition to those projects, there are:

- projects detailed in the previous report to Council, but for which no resources could be identified to undertake (Appendix B);
- additional projects which have arisen since the last report to Council (Appendix C).

Many of the current projects are inter-related, and in order to give some structure to these, they have been summarised under the following major headings:

Current projects

1. Kingscliff
   - Kingscliff Design DCP
   - Car parking S94 Plan
   - West Kingscliff DCP (finalise, review remnant vegetation, drainage)
   - Retail Strategy
   - Relocation of caravan park
   - Former NSW Tourism site
   - Seaside City

2. Kings Forest
   - Finalise LES
   - Water quality
   - Koala habitat
   - Access
   - Agricultural, quarry, bushfire and contaminated land buffers
   - Infrastructure requirements
   - Preparation of DCP and S94 Plan
   - Exhibition of material

3. Industrial Land
   - Kingscliff STW
Reports from Director Development Services

- Dickinson property
- Coolangatta Airport precinct
- Hansen property (Round Mountain)

4. S94 planning
- Open space
- Libraries
- Surf Life Saving

5. LEP Amendments
- Quirk property
- Hansen property (Clothiers Creek Road)
- Dickinson property
- Kingscliff STW
- Seaside City
- Area E
- Black Rocks
- Marana Park
- Bilambil Heights

6. Development Control Plans
- Kingscliff Design DCP
- Tweed Heads
- Dual Occupancy

7. Tweed LEP 2000 review
- Rural Settlement Strategy
- Rural Viability Study
- Agricultural Land Classification
- Environmental Protection Zones

8. Housing
- Dual Occupancy DCP
Reports from Director Development Services

- Review Residential Development Strategy

9. Social Planning

- Prepare Social Plan 2001
- Complete Studies of Outstanding Target Groups
- Community Infrastructure Strategy and CP

10. Vegetation Management Plan

- Finalise the Review of the Plan
- Prepare LEP

Very few of these can be completed either easily or quietly. They each raise a number of issues and community interests. Available resources are therefore critical; and not just for the Strategic Planning Unit as many projects raise broad corporate issues.

Resources Available

Nomination of additional Strategic Planning projects presents a considerable challenge as each of those that have been brought forward are no doubt worthy in the eyes of the proponent. To assist in this, Council has provided additional resources for a permanent Economic Planner and a three year Contract Strategic Planner. Three rezoning proponents are also willing to fund a twelve month position. The latter awaits final receipt of funds.

The former two have been advertised, but suitable candidates have not been forthcoming. It will therefore be necessary to readvertise. For the Economic Planner this will be done at a Grade 6 and 7 rather than the previous Grade 7. The three year Contract position is more problematic as it is thought that the limited tenure is a disincentive. A permanent position, at either Grade 6 or 7, may be more attractive.

Program

On the face of it, there is no scope for additional projects to the Program. No detailed assessment has been undertaken for the additional LEP Amendments in respect of Cobaki Lakes. However, if the proponent is already committed to funding the engagement of a planner to undertake the already committed LEP Amendment, then this additional material can be added without requiring additional resources. The necessary S54 analysis can be submitted to the next Council Meeting.

The proposal by Action Sands presents other issues. A presentation by the proponents has already been given to Council. The proponents have provided the following information:

“This application is lodged further to our presentation to Council on 8 November and our meeting with the Director-General and senior officers of the Department of Urban Affairs and Council on 3 November, where general support was received for the concurrent public exhibition of the draft LEP amendment and the proposed concrete batching plant DA/EIS within the lands proposed as 4(a) Industrial.”
The Director-General undertook to advise the Coastal Planning Committee that such an approach would obviate the need for an LES.

As presented in the attached summary provided to the Director-General, the Chinderah land owned by Action Sands has been used for extractive industry purposes associated with river dredging operations since 1991. However, the land is zoned part 4(a) and part 3(d) under the Tweed LEP 2000. The proposed “industry” use is prohibited within the 3(d) zone.

Action Sands and Nucrush have developed a process that enables the dredged river sand to be used in high grade concrete. With growing demand for concrete products and development within Tweed, a concrete batching plant is proposed within the present site operations on land currently zoned 3(d), adjacent to the highway.

It is submitted that the proposed alteration to the 3(d) and 4(a) zone boundary over the land, without increase in the respective zone areas, would provide public benefit by integrating and improving the future development pattern of this locality.

The public benefit would be further served with the subsequent approval of the proposed concrete batching plant through associated river dredging activities and royalty payments for implementation of river management objectives.

The Director-General’s requirements in preparing the EIS to support the DA have been requested in the hope that this rezoning matter can be reported to Council for resolution in December and subsequent preparation”.

There are identifiable public benefits from the proposal, which, in LEP terms, is a minor boundary adjustment and presents no strategic issues. If the rezoning was dealt with at the same time as the Development Application it would provide an opportunity to reduce the processing time. The issue facing Council is that other proponents would argue for similar treatment, which, given current resources, could not be supported. Therefore, if Council determines that this proposed LEP Amendment should proceed, it should do so as an exception to the current policy of not adding any other projects to the Work Program.
### Appendix A: Current Work Program Projects

<table>
<thead>
<tr>
<th>Program Item</th>
<th>Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Tweed LEP 2000 Review.</td>
<td>Now replaced by various Council nominated amendments to the LEP. Further work will be dependent upon:</td>
</tr>
<tr>
<td></td>
<td>• the outcome of the finalisation of the Vegetation Management Plan currently being undertaken by the Vegetation Management Plan Steering Committee;</td>
</tr>
<tr>
<td></td>
<td>• the Rural Settlement Strategy;</td>
</tr>
<tr>
<td></td>
<td>• the Rural Viability Study for which funds have recently been obtained from the Federal Government.</td>
</tr>
<tr>
<td>5. Area E, Black Rocks.</td>
<td>Funding for engagement of Strategic Planner awaited.</td>
</tr>
<tr>
<td>10. LEP Amendment – Hansen property.</td>
<td>Further flora/fauna work required to meet requirements of NPWS.</td>
</tr>
<tr>
<td>14. Seaside City.</td>
<td>Revised specifications for Environmental Study for Seaside City awaited from DUAP.</td>
</tr>
</tbody>
</table>
### Appendix B: Previously Notified Projects for which no Resources can be Identified

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Detail</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Sleepy Hollow.</td>
<td>Various rezoning proposals have been submitted over a 5 year period to secure residential development in accordance with the Residential Development Strategy. Further information was requested following the latest proposal.</td>
<td>Must await requested information before taking further action.</td>
</tr>
<tr>
<td>3. Coast Road Cabarita.</td>
<td>Rezoning request to commercial for this property. Similar to a proposal for other properties along Coast Road submitted in respect of draft Tweed LEP 1998, deferred to Stage 2.</td>
<td>The report to Council in respect of the draft LEP found merit in the submission, although it concluded it should be dealt with as part of the Stage 2 Review.</td>
</tr>
<tr>
<td>4. Sea Breeze, Pottsville.</td>
<td>This property was rezoned to residential in 1996 after additional growth was included for it in the RDS in 1992. The RDS only allowed for an additional population of 2,500 around Pottsville. This was taken up by Koala Beach and the expanded Leisure Gardens. The remainder of the property remained zoned 1(d). As part of the negotiations in respect of the DCP for the property, there were discussions as to the zoning of residential areas for further housing and a school site.</td>
<td>An amendment to the RDS may be required as a forerunner to any LEP amendment for residential development.</td>
</tr>
<tr>
<td>5. Tanglewood.</td>
<td>There are a number of issues raised by the owners which are primarily concerned with the definition of environmental protection and residential zones; and the possibility of industrial zoning along Clothiers Creek road.</td>
<td>The proponents are understood to be still preparing a detailed submission, although it is understood the industrial component remains a priority.</td>
</tr>
<tr>
<td>6. Wollumbin Wildlife Refuge.</td>
<td>An LEP amendment was gazetted in 1997 to facilitate 25 residential lots on this 7(L) zoned property. The resultant development was intended to fund rehabilitation of the property. A 3 year period was given to lodge the amendment.</td>
<td></td>
</tr>
</tbody>
</table>
# Reports from Director Development Services

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Detail</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Coronation Avenue, Pottsville.</td>
<td>Rezone small area of land between SEPP 14 Wetland and Coronation Avenue from 1(a) to 2(c).</td>
<td>Various environmental and access issues. No supporting analysis of issues from proponent.</td>
</tr>
<tr>
<td>8. Tourist Information Centre, Tweed Heads.</td>
<td>Increase height limit from 2 storey to 4 storey.</td>
<td>Shadow diagram indicates overshadowing of public open space. Must be related to REP controls.</td>
</tr>
<tr>
<td>9. Chiltern Hunt property, Terranora.</td>
<td>Submission to draft TLEP 1998 that 7(d) boundary inappropriate</td>
<td>Need Rural Settlement Strategy</td>
</tr>
<tr>
<td>10. Vink property, Terranora.</td>
<td>Proposal to develop former quarry for rural housing</td>
<td>Need Rural Settlement Strategy</td>
</tr>
<tr>
<td>11. Former Tweed Heads Drive-In Site to Industrial.</td>
<td>Informal proposal</td>
<td>Needs to await the outcome of the Coolangatta Airport Industrial precinct study</td>
</tr>
<tr>
<td>12. Church Lane, Murwillumbah.</td>
<td>Draft LEP submission to rezone from residential to commercial.</td>
<td>Mixed land uses with access issues to be analysed. Council resolved to include in Stage 2.</td>
</tr>
<tr>
<td>15. Dalton Street, Terranora.</td>
<td>Draft LEP submission to rezone from Rural 1(c) to Residential 2(a)</td>
<td>Council resolved to include in Stage 2.</td>
</tr>
</tbody>
</table>
### Appendix C: Additional Projects

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Action Sands, Chinderah.</td>
<td>Rezoning request for alteration of 3(d)/4(a) zone boundary to allow for permissibility of concrete batching plant.</td>
</tr>
<tr>
<td>2. Informal proposal - Former Egg &amp; I site, Tweed Heads South – Bulky Goods.</td>
<td>No details provided to date.</td>
</tr>
<tr>
<td>3. Cobaki Lakes – Additional minor amendments to those already nominated.</td>
<td>Detailed review by proponents has identified a number of adjustments to reflect environmental values of the property and maintain lot yield.</td>
</tr>
<tr>
<td>5. Kingscliff Structure Plan.</td>
<td>In view of the various current development initiatives at Kingscliff, there is a need for a comprehensive Structure Plan to ensure their integration.</td>
</tr>
</tbody>
</table>
2. ORIGIN: Development Assessment Unit

FILE REF: DA4170/100 Pt3

REPORT TITLE:

Extensions to the Kingscliff Village Shopping Centre at Lot 2 DP582165 No. 28 Pearl Street, Kingscliff

SUMMARY OF REPORT:

This report provides an assessment of further amended plans submitted for Kingscliff Village Shopping Centre. The amended plans satisfactorily address concerns raised in the report to Council on 15 November, 2000. At that meeting Council deferred determination of the application for further consultation with the applicant. Since that Council meeting two meetings have been conducted with the applicant and his consultants to discuss the issues raised in the report to Council. Representatives from Franklins also attended the first of these two meetings.

The outcomes of these meetings resulted in:-

- Relocation of the plant room away from the western boundary allowing a reduction in the height of the wall from 7.8m to 5.2m above finished ground level;
- The inclusion of an additional pedestrian connection through the site to the west;
- Provision of a “landmark” element on the corner of Pearl and Turnock Street. This consists of a “stone” or similar arch approximately 3.5-4.0m high incorporating a decorative sign announcing the arrival in Kingscliff. This sign is to be “wrought iron” nature incorporating artistic designs depicting Kingscliff in the background of the sign;
- Provision of low height walls and seating along the Pearl Street and Turnock Street frontages adjacent the car park. The walls provide a opportunity for local artwork to be incorporated into it;
- More extensive landscaping including shade trees adjacent to the kerb line of both Turnock and Pearl Streets.

The proposed treatment of the Pearl/Turnock Street corner of the site will provide a significant entry statement and has satisfactorily addressed the urban design issue relating to this corner. The amended proposal also makes provision for these elements to be incorporated into any subsequent commercial development of this area for shops in the future.

The application is now recommended for approval subject to conditions.

RECOMMENDATION:

That Development Application K99/1731 for extensions to the Kingscliff Village Shopping Centre at Lot 2 DP 582165 No. 28 Pearl Street, Kingscliff, be approved subject to the following conditions:-
PRE-REQUISITES – conditions that must be complied with prior to the issue of a construction certificate

1. (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.

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.

- Tweed Road Contribution Plan: $332,382.96
  S94 Plan No. 4 (Version 4.0)
  (Kingscliff – Commercial)
- Extensions to Council Administration Offices & Technical Support Facilities $610.56
  S94 Plan No. 18

GENERAL


3. No works associated with the development are to encroach onto Lot 13 DP 871753 Turnock Street, Kingscliff.

4. 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.

5. 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 the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
6. This consent does not grant approval or imply in principle approval for the Stage 2 concept submitted. Any application to carry out Stage 2 would be assessed on the merits of the application at the time.

7. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742-1991 (Manual for Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

8. The use being restricted to the floor area designated on the approved plan.

9. Landscaping of the site shall be carried out in accordance with the submitted landscaping plans. The landscaping to be completed prior to occupation of the building, to the satisfaction of the Director, Development Services.

10. The provision of 249 off street car parking spaces. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.

11. Advertising structures/signs to be the subject of a separate development application, where statutorily required.

12. Submission of a further Development Application(s) for the first use of the shops and professional suites, such to be approved by Council prior to their use or occupation.

13. All retaining walls in excess of 1.2 metres in height must be certified by a Qualified Structural Engineer verifying the structural integrity of the retaining wall after construction.

14. No items or goods are to be stored or displayed outside the confines of the premises.

15. 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.

16. A schedule of colours and finishes for all new buildings is to be submitted to and approved by the Director of Development Services prior to the issue of the construction certificate.

17. 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.

18. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
   a. footings, prior to pouring of concrete
   b. slab, prior to pouring of concrete
   c. frame prior to the erection of brick work or any wall sheeting
   d. final inspection prior to occupation of the building
19. All necessary on site boundary retaining shall be carried out prior to start of works upon the building proper, with details of retaining walls being submitted to Council for approval prior to start of works.

Please note: Timber retaining walls will not be accepted.

20. The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:

(i) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and

(ii) Certification of the works performed by the person carrying out the works is to be submitted to the PCA prior to occupation of the building; and

(iii) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:

   (A) the method of protection; and

   (B) the date of installation of the system; and

   (C) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and

   (D) the need to maintain and inspect the system on a regular basis.

Note: Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

21. 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 required erosion and sedimentation control devices have been installed and are operational.

ii. Required toilet facilities have been provided on the site in accordance with Section 78i of the Environmental Planning & Assessment Amendment Regulations 1998.

iii. A sign has been erected on the site in accordance with Section 78H of the Environmental Planning & Assessment Amendment Regulations 1998.

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

v. That the licensee has complied with the provisions of Section 78c of the Environmental Planning and Assessment Amendment Regulations 1998.
22. The glazier is to supply the PCA with certification that all glazing complies with AS 1288-1994 and AS2047 of the Building Code of Australia.

23. 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.

24. All trade materials, product and plant to be kept within confines of the building at all times.

25. In accordance with Section 109F(i) of the Environmental Planning & Assessment Act, 1979 (as amended), a construction certificate for SUBDIVISION WORKS OR BUILDING WORKS shall NOT be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment.

PRESCRIBED (BUILDING)

26. 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.

27. 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.

28. 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.

29. 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).
30. 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.

31. 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)

32. 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.

33. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.

**FIRE (BUILDING)**

34. All fire service connections are to be compatible with those of the NSW Fire Brigade.

**DISABLED (BUILDING)**

35. Please note that while the proposal, subject to the conditions of approval, may comply with the provisions of the Building Code of Australia for persons with disabilities your attention is drawn to the Disability Discrimination Act which may contain requirements in excess of those under the Building Code of Australia. It is therefore required that these provisions be investigated prior to start of works to determine the necessity for them to be incorporated within the design.

36. Access to the building for disabled persons shall be provided and constructed in accordance with the requirements of Part D3 of the Building Code of Australia and Australian Standard AS 1428.1.
37. Prominently displayed signs and symbols must be provided to identify for disabled persons all routes and areas where architectural barriers do no exist. Such access must comply with the requirements of Australian Standard AS 1428 Parts 1 and 2.

38. If access for the disabled is required under Part D3 of the Building Code of Australia, facilities for the use of the disabled shall be provided as specified in Part F2.4 of the Building Code of Australia and shall be constructed to the requirements of Australian Standard AS1428.1.

39. Tactile ground surface indicators for orientation of people with vision impairment are to be provided in accordance with Australian Standard AS1428.4-1992.

40. Disabled car parking spaces are to be provided at the rates provided for under Part D3.5 of the Building Code of Australia and constructed in accordance with Australian Standard AS2890.1.

FOOD PREMISES

41. 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.

42. 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.

43. 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.

SEWER

44. 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.

45. 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.

46. **Note:** Sewer manhole is present on this site. This manhole is not to be covered with soil or other material or concealed below ground level.
Should additional fill be proposed in the area of the sewer manhole Council's Engineering Services Division must be consulted and suitable arrangements made for the raising of the manhole to the satisfaction of Council's Manager Public Utilities.

ENVIRONMENT PROTECTION

47. Suitable covering and protection is to be provided to ensure that no material is removed from the site by wind, causing nuisance to neighbouring properties.

48. 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.

49. 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.

50. All necessary precautions shall be taken to minimise impact from dust during filling operations from the site and also from construction vehicles.

51. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.

52. The burning of builders waste on site by open fire is prohibited.

53. 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.

54. Owners of buildings served by plant involving the operation of “cooling towers”, “evaporative condensers” or “tepid water systems” must submit to Council, half yearly, a report detailing the maintenance, cleansing and chemical treatment of such plant every three (3) months in accordance with Part 6 of the NSW Public Health Act.

55. Any proposed cooling tower installation must also include details on the proposed means of back flow prevention to the water supply prior to installation.

56. 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:

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.

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

58. Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

59. Except as may be expressly provided in the approval, the approval holder must comply with section 120 of the Protection of the Environment Operations Act 1997 prohibiting the pollution of waters.

60. The LA10 noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz – 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends.

PLUMBING & DRAINAGE

61. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
   a. internal drainage, prior to slab preparation;
   b. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
   c. external drainage prior to backfilling.
   d. completion of work.

62. A. A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.

B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.

63. An application to connect to Council’s sewer is to be submitted to and approved by Council prior to the commencement of any works on the site.

64. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
### Reports from Director Development Services

65. Temperature and pressure relief lines from hot water systems shall discharge in the open as prescribed in Australian Standard AS 3500.4.1990 Section 4.12.3.

66. Where two (2) or more premises are connected by means of a single house service pipe, the owner of each premises must (unless all the premises are occupied by a single household or firm as a residence or place of business) ensure that a separate water meter, of a class and size approved by Council, is installed on each of those premises.

67. Back flow prevention devices shall be installed where ever cross connection occurs or is likely to occur. The type of device shall be determined in accordance with AS 3500.1 and shall be maintained in working order and inspected for operational function at intervals not exceeding 12 months in accordance with Section 4.7.2 of this Standard.

68. Yard gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.

69. Where fire service is on a metered supply the water supply pipe work reticulation shall be installed so as to comply with Figure E1.4 of the Building Code of Australia.

70. Prior to commencement of building works provide hydraulic drawings on the proposed sewer drainage systems including pipe sizes, details of materials and discharge temperatures.

71. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:
   - 43.5°C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
   - 50°C in all other classes of buildings.

   A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

72. A backflow containment device will be installed adjacent to Councils water meter installation at the property boundary in accordance with AS3500. The device is to be maintained in accordance with the provisions of AS3500 by the owner of the property at the owners expense.

### TRADE WASTE

73. Any premises proposing to discharge into Councils sewerage system a waste water other than domestic sewage, shall submit to Council a completed application for a Trade Waste Licence. This application is to be approved by Councils Manager Water and concurrence received from the Department of Land and Water Conservation, if required, PRIOR to the issuing of a Construction Certificate to discharge to Councils sewerage system.

74. A hose tap shall be provided adjacent to a grease arrester for cleaning purposes and shall be fitted with a RPZD for the purpose of back flow prevention.
75. Three copies of detailed hydraulic plans shall be submitted with all trade waste applications showing size, type and location of pre-treatment devices. Including all plumbing and drainage installations to these devices which shall comply with AS3500.

76. Trade Waste application fee will be applicable as per Council's Fees and Charges.

ROADS/STREETS

77. The provision of adequate vehicular access in accordance with Council's "Vehicular Access to Property Construction Specification" pamphlet, including the provision of an invert crossing at the kerb and gutter where required and paving of the driveway across the footpath to the front alignment to the satisfaction of the Director, Engineering Services. Twenty four (24) hours notice is to be given to Council's Engineering Services Division before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the vehicular access and its reconstruction. Paving bricks are not acceptable unless laid on a 100mm thick concrete base.

78. The concrete driveway across the footpath is to be 200 millimetres thick minimum and reinforced with F82 mesh with 40mm cover.

79. The driveway is to be constructed 5 metres wide at the property boundary and 9 metres wide at the kerb line with a uniform taper if a splay is specified.

80. A channelised right turn lane is to be constructed on Turnock Street at the site access road intersection. The work is to include raised central islands, pavement widening, linemarking and street lighting. A detailed design complying with Austroads Standards is to be submitted and approved by the Director of Engineering Services prior to the issue of a Construction Certificate.

81. A splay corner 4m long on each boundary on the corner of Pearl Street and Turnock Street is to be dedicated at no cost to Council as public road to facilitate future intersection upgrading.

82. The central island in condition 80 above is to be extended from the access road to the service/delivery bay driveway access to prevent right turn movements into the angle parking spaces on Turnock Street.

83. The angle parking is to be designed and constructed in accordance with Austroads Guide to Traffic Engineering Practice Part II and detailed design plans are to be submitted to and approved by the Director of Engineering Services prior to construction.

84. A 3.0 metre wide right of way for public pedestrian access is to be created at no cost to council over the site adjoining Turnock Street from the western boundary to 10m east of the site access road prior to the issue of a occupation certificate.

85. The disabled access spaces are to include pram ramps in accordance with Council's standard drawing.
Reports from Director Development Services

86. A pedestrian refuge within Turnock Street is to be provided east of the Turnock Street entrance to the development. The refuge may be provided within the median for the right turn bay.

87. A 1.2 metre concrete footpath is to be constructed from Pearl Street to the access road including a transition area to a 3 metre wide full width concrete path from the access driveway to the western boundary where a transition area back to the public road reserve is required. Details of the design are to be submitted to the satisfaction of the Director of Engineering Services prior to issue of the construction certificate.

88. All pedestrian pathways across internal driveways are to be on a raised platform complying with relevant standards.

89. A pedestrian right of way is to be created in favour of Lot 13 DP 871753 over the south eastern pedestrian linkage prior to the issue of a final occupation certificate.

90. A speed bump is to be installed on the delivery/service dock access road adjacent to the pedestrian travel path.

91. The kerb lines between spaces 102 and 103 and space number 105 to the corner of the unit site are to be realigned to better guide traffic to the satisfaction of the Director of Engineering Services.

92. Car spaces 85 to 87 are to be constructed of a Ochre AC colour and designated as short term stay parking spaces. Signage is to be erected restricting parking to a 2 minute maximum.

93. A bus shelter is to be constructed at the Turnock Street bus zone including full width concrete paving in this location. The bus shelter is to be set behind the property boundary line and is to comply with Councils specifications for bus shelters.

94. The Turnock Street access is to be constructed as an at grade intersection using kerb returns.

DRAINAGE/FLOODING

95. Erosion and Sediment Control During the Construction Phase of Development

(a) Construction phase stormwater quality treatment (erosion and sediment control) shall be designed and constructed in accordance with detailed engineering plans to be submitted and approved with the Construction Certificate. 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 (if required) has been released.
(b) The Construction Certificate Application must include a detailed erosion and sediment control plan (ESCP) for the construction phase of development, prepared in accordance with Section D7.07 of Tweed Shire Council Aus-Spec D7 - Stormwater Quality.

96. All fill is to be graded so that it drains to the street or other approved permanent drainage system and where necessary, perimeter drainage is to be provided to ensure minimal impact on adjoining properties. If filling is required, a plan of proposed drainage is to be submitted with the Construction Certificate. Drainage must be installed and operational prior to commencement of any building work.

All fill or cut batters shall be contained wholly within the subject land.

97. The earthworks shall be carried out in accordance with AS 3798-1996, "Guidelines on Earthworks for Commercial and Residential Developments". In general, material shall be placed in layers not exceeding 300mm in depth, watered and compacted to achieve the specified density ratio as monitored in Table 5.1 - Guidelines for Minimum Relative Compaction.

98. Permanent Stormwater Quality Treatment

(a) Permanent stormwater quality treatment shall comply with “Tweed Urban Stormwater Quality Management Plan” (adopted by Council 19 April 2000) section 5.5.3 “Stormwater Objectives During the Post Construction or Occupational Phase of Development”. New development is required to comply with table 5.4 of the plan and demonstrate compliance by modelling in accordance with section 5.5.4. Section 5.5.5 of the plan further advises that treatment that is in accordance with the “deemed to comply” provisions of Appendix E - Tweed Shire Council, Aus-Spec D7 - Stormwater Quality is deemed to comply with the objectives in 5.5.3.

(b) Water sensitive design practices shall be adopted. Where it is practical, water quality features are to be designed into the land development site rather than rely on special end of pipe devices to strip pollutants and nutrients from stormwater prior to discharge. Typical water quality features that can designed into the site development include use of porous pavements, directing runoff over filter strips or grass swales in landscaped areas, utilising landscaping as an integral part of stormwater quality management, maximising use of infiltration and stormwater reuse (eg. Rainwater tanks). These features can be complemented by site management practices which minimise creation of stormwater pollutants and nutrients and provide for appropriate operation, cleaning and maintenance of water quality control devices.

(c) The Construction Certificate Application must include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development, prepared in accordance with Section D7.07 of Tweed Shire Council Aus-Spec D7 - Stormwater Quality.
99. Discharge of stormwater into Lot 13 DP 871753 shall be limited to pre-development rates and evenly distributed across the southern boundary by means of a low spillway.

100. Only clean fill material shall be deposited on site. Details of the source and nature of fill shall be supplied to Council for consideration prior to commencement of works, and Councils approval of this fill shall be obtained prior to commencement.

101. A revised Acid Sulfate Soils Management Plan complying with the ASSMAC manual 1989 shall be submitted for the approval of the Director of Environment and Community Services prior to the commencement of works on the site. This management plan shall include results of soil sampling on the site and resultant proposed management measures. All works shall comply with the approved ASSMP.

102. Delivery of goods by motor vehicle shall be restricted to the hours of 7am to 7pm.

103. A screened enclosure for the storage of garbage receptacles shall be provided to the satisfaction of the Director of Environment & Community Services.

104. Prior to the commencement of operations or the occupation of the building the proposed roof mounted condenser units shall be acoustically screened in accordance with the specification included in the Noise Impact Assessment (August 1999). Details plans of these screens shall be submitted to Council for approval prior to the commencement of operations or the occupation of the building.

105. Prior to the commencement of operations or the occupation of the building the proposed acoustic barrier adjacent to the loading bay area shall be provided in accordance with the specification included in the Noise Impact Assessment (August 1999). Detailed plans of these screens shall be submitted to Council for approval prior to the commencement of operations or occupation of the building.

106. Prior to the commencement of operations or the occupation of the building an acoustic barrier adjacent to the loading bay in the north western corner of the site shall be provided that is consistent with the specification included in the Noise Impact Assessment (August 1999). Detailed plans of these screens shall be submitted to Council for approval prior to the commencement of operations or occupation of the building.

107. The individual Cordyline Congestas (Palm Lily) which exists on the site shall be removed and transplanted to an alternative site approved by the Director of Environment & Community Services. Details of the site measures to be undertaken to enhance the survival of this plant to be supplied to Council prior to the commencement of these works.

108. Lighting on the site and illuminated signs shall not be permitted to create a nuisance or affect the amenity of any premise.
REPORT:

**Applicant:** Mr C Moeller  
**Owner:** Chen-Yu Pty Ltd  
**Location:** Lot 20 DP 771632, Lots A & B DP 396088 and Lot 2 DP 582165 Pearl Street, Kingscliff  
**Zoning:** 3(b) General Business Zone  
**Est. Value:** $1.7 million

BACKGROUND

The applicant has been seeking development consent from Council for extensions to Kingscliff Shopping Centre for some time with a number of different proposals being submitted to Council. Provided below is a brief summary of proposals submitted.

- 4 June 1999 Development application for extensions to Kingscliff Shopping Village (K99/328) was refused.
- 4 June 1999 Development application for fast food outlets (D98/119) was refused.
- 6 Dec 1999 Current development application lodged for extensions to Shopping Centre and fast food outlet.
- 7 June 2000 Application reported to Council with recommendation for refusal. Council resolved that the matter be deferred to enable the applicant to improve the application to respond to the reasons for refusal recommended in the report.
- 15 Nov 2000 Amended proposal reported to Council with a recommendation for refusal. Council resolved that this item be deferred to allow the applicant to have further discussions with Council.
- 28 Nov 2000 Meeting with applicant, architect, planning consultant and Franklins representatives to discuss proposal.
- 6 Dec 2000 Further meeting held with applicant and architect for the proposal.
- 11 Dec 2000 Amended proposal submitted.

As indicated above, Council at its meeting of 15 November, 2000 considered a development application for extensions to Kingscliff Shopping Centre. The report presented to Council at the time recommended refusal of the application for the following reasons:

1. *The proposed development will have adverse impacts on the quality of urban environment, urban design and architectural presentation of Kingscliff.*

2. *The proposed development is contrary to the objectives and provisions of the Kingscliff Urban Design Plan and draft Kingscliff Development Control Plan.*
3. The proposed development is an overdevelopment of the site having regard to the existing site constraints and designs for loading, servicing, car parking, and traffic manoeuvring area.

4. The proposal fails to consider future amenity and design issues in the locality and proposed development would have detrimental effects on the quality of the potential development and residential amenity of land adjacent to the west.

5. The proposed development would be detrimental to the fulfilment of Kingscliff’s potential for higher order economic benefits based on tourism and residential growth.

6. The proposed development does not provide pedestrian linkages to adjoining sites and encourage pedestrian movements to the site. The plant room and loading dock positioning and height will have unacceptably adverse effects on development design and future residential amenity on adjacent land.”

Council at this meeting resolved this matter be deferred to enable the applicant to improve the application through further discussions with Council staff.

This report provides an assessment of the amended proposal in accordance with Section 79C of the Environmental Planning and Assessment Act, 1979.

**PROPOSED DEVELOPMENT**

The application provides for:-

- An extension of the main shopping centre building northwards towards Turnock Street. This comprises a new (Franklins supermarket) and seven (7) speciality shops. The gross floor area of the proposed extension is 3815m².

- The construction of additional car parking spaces (which includes on street parking spaces) and bicycle spaces

- The provision of associated landscaping and infrastructure. Landscaping includes a proposal for a signage/sculpture feature on the corner of Pearl and Turnock Street providing a civic landscape marker for Kingscliff.

The submitted drawings also indicate a concept for a future Stage 2 development which incorporates,

- A 2 storey retail/commercial building on the corner of Pearl Street and Turnock Street;
  - Removal of the existing service station and construction of a 2 storey retail building adjacent to Pearl Street; and
  - Construction a new deck over the existing car parking area for the purposes of providing additional car parking spaces.

The Stage 2 component of the development has been provided to address urban design issues raised as part of previous proposals. The applicant does not seek approval from Council for this Stage 2 component.
EVALUATION

The following is an assessment of the application under the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979.

(a) (i) The provisions of any Environmental Planning Instrument

**Tweed Local Environmental Plan 2000 (TLEP 2000)**

The subject land is zoned 3(b) General Business zone under TLEP 2000. The provision of additional retail floor space as proposed by this development meets the primary objective of the zone being:

- To provide business centres in which the community shopping, business, welfare and social needs can be met.
- To provide business locations within residential areas, and to ensure that the scale and type of development is compatible with the character and amenity of the surrounding residential areas.

The proposal is also considered consistent with all other relevant objectives of TLEP 2000.

It is considered the proposed development would not have an unacceptable cumulative impact on the community, locality or catchment that will be affected by its being carried out or on the area of the Tweed as a whole, but rather assist in meeting the future communities demand for retail, commercial development within the Kingscliff area.

**Clause 15 – Availability of Essential Services**

Water and sewerage services are available to the site and the proposal is consistent with this clause.

**Clause 17 – Social Impact Assessment**

The proposed development is unlikely to have a social or economic effect that is of a scale to warrant the preparation of a social impact statement.

**Clause 35 – Acid Sulfate Soils**

This clause requires the Council must not grant consent to works unless it has considered a preliminary soil assessment and where necessary, an acid sulfate soil management plan. The applicant has submitted a preliminary acid sulphate soils management plan.

**North Coast Regional Environmental Plan 1988 (NCREP 1988)**

**Clause 32B - Coastal Lands**

This clause requires consideration be given to the NSW Coastal Policy, the Coastline Management Manual and the North Coast Design Guidelines. The proposal is not inconsistent with the provisions of these policies.
**State Environmental Planning Policies (SEPPs)**

**SEPP11 – Traffic Generating Developments**

In accordance with the provisions of SEPP11 the application was referred to the Regional Advisory Committee. The following comments regarding the application were provided by this Committee:

1. A protected right turn lane in Turnock Street should be provided for traffic entering the site via the proposed eastern entrance.

2. This proposal is likely to generate pedestrian movements across Turnock Street, to accommodate pedestrians a pedestrian refuge should be provided east of the Turnock Street entrance. The refuge could be provided in the median for the right turn bay.

3. Parking for development should generally be provided on site, however, if angle parking is to be provided on Turnock Street, sufficient road width for a parking lane should be provided, this will allow vehicles to stand clear of through traffic when entering and leaving parking spaces.

4. Sufficient land on the north east corner of the site should be reserved for any future intersection improvements at the intersection of Turnock and Pearl Streets.

5. The bicycle parking shown on the north west corner of the site obstructs the pedestrian walkway and should be relocated.

6. Internal road layout and pedestrian access is less than ideal. However, retention of existing buildings constrains more effect provision for vehicle and pedestrian movement about the site.

7. Provision of a raised median in Turnock Street will be necessary to prevent parked vehicles reversing across the road to travel east. To reduce traffic conflicts this median could be extended west past the western Turnock Street entrance to the site. This will prevent right turns into the service bay area.

8. Stage 2 submission should include improvements to vehicle access and circulation for the proposed overhead car parking area.”

Issues raised in the above points can be satisfactorily addressed as conditions of consent.

(ii) **The provisions of any Draft Environmental Planning Instrument**

No draft plans are applicable to this proposal.
(iii) Any Development Control Plans (DCPs)

DCP2 – Site Access and Parking Code

Under the provisions of this Plan and taking into account the existing floor space on site, a total of 307 car parking spaces are required. However, applying the 20% reduction permitted under DCP2 for the purposes of encouraging ecologically sustainable development (ESD) this number may be reduced to 247 spaces. The applicants amended proposal provides for 232 spaces within the site and a further 17 spaces within the Turnock Street road reserve. Making a total of 249 spaces.

It has been argued that the inclusion of 17 spaces along the Turnock Street frontage to the property in effect only results in a net gain of 10 spaces as 7 parallel spaces which currently exist along this section of road will be lost. If this analysis is accepted it can be concluded that the development as a whole is providing 242 car parking spaces which is 5 spaces short of DCP2 requirements or a 2% shortfall.

It may be argued however that the area of Turnock Street is not utilised to any extent for parallel parking at the moment, therefore the development is in effect providing 249 spaces.

Notwithstanding either of the above points, it is considered that satisfactory parking has been provided by the proposal. If it were accepted that there is a shortfall of 5 spaces in the context of the overall development, this is a relatively minor issue of non-compliance with the DCP and in the context of the overall development does not warrant refusal of the application solely on this ground.

DCP5 – Development of Flood Liable Land

The subject land slopes down from Pearl Street to the rear of the site. The rear of the land is below the design flood level. However, filling is proposed which will result in the development being above the design flood level.

DCP9 – West Kingscliff

The subject land is affected by this plan. The plan nominates this site for business uses. Other features of the plan include low density housing to the rear of the site with a drainage reserve adjacent this boundary. The plan also provides for a footpath/cycleway along Turnock Street adjacent to the site which is proposed to be required within the site along the southern boundary. An easement will be required to be created over this footpath area as it is located on private land. The DCP does not contain any specific provision in respect of commercial development outside commercial areas.

DCP15 – Advertising Signs Code

Provision has been made on the façade of the building for future signage. The areas nominated are generally in accordance with DCP15. Any approval should contain a condition requiring a subsequent development application to be submitted for future signage.
(iv) Any matter prescribed by the Regulations

The NSW Coastal Policy applies to the subject land. The subject development is not inconsistent with this policy.

Council’s Building Surveyor has considered the proposal in line with Clause 66B of the Environmental Planning and Assessment Regulations. Appropriate conditions requiring compliance with the BCA should be placed on any consent.

(b) The likely impacts of the development, including impacts on the natural and built environment and social and economic impacts in the locality

Context and Setting

The subject land is located on the corner of Turnock Street and Pearl Street. Land to the rear is vacant but is identified for future residential development. Land to the south east contains a church and a school which will not be impacted upon by the proposed development. The Pearl Street frontage is punctuated by a block of residential units which contains one level of car parking and two levels of units. The allotment containing the units is surrounded by the development site which contains existing parking to the south east and proposed parking to the south and north west. The proposed development is likely to impact on the residents of these units through noise and lighting. Some impacts are to be expected given the location of the units in a commercial zoning. Any approval granted by Council should contain conditions of consent to minimise lighting and noise impacts on residents.

A new car parking area is proposed at the corner of Turnock Street and Pearl Street. This parking area is setback 3m from both street frontages and the setback will be landscaped extensively. In addition to landscaping, it is proposed to locate a sculptured signage feature at the corner extending to a height of approximately 10m. In addition to this a number of lower scale sculpture features will be located along both the Turnock and Pearl Street frontages leading into this corner. The feature will not provide any signage related to the development but rather of a civic nature providing a landmark/entrance feature for Kingscliff. This concept is supported and is considered to be consistent with the principles of the draft DCP for Kingscliff.

Since the application was last reported to Council and as a result of negotiations with the applicant the plant room located on the western boundary has been relocated to the centre of the building resulting in the part of the wall located on the western boundary being reduced in height to approximately 5.2m. It is also proposed to excavate the loading dock area down approximately 1.2m to the existing natural ground level located on the adjoining Gales Holding land. This will result in the acoustic barrier wall along this boundary being reduced in height. The remainder of the building is setback 6m from the western boundary and is proposed to be landscaped to provide a visual screen.

As a result of the plant room being relocated and the height of this wall being reduced the extent of overshadowing on the adjoining land will be minimised. It is considered the reduced height of walls along this boundary, the proposed setbacks and landscaping
Reports from Director Development Services

is acceptable in terms of visual impact when viewed from land to the west which is yet to be developed.

In summary, the applicant has addressed the issue of visual impact from the adjoining land to the west by:

a. providing a greater boundary setback as described above.

b. providing architectural or landscaped treatment for the supermarket wall where it has a zero setback.

c. providing dense landscaping within the setback area to soften and intercept views of the wall.

d. by reducing the overall height of the supermarket walls, roof and acoustic walls along the boundary.

The measures are considered to be a significant improvement.

The development also proposes a number of speciality shops along the Turnock Street frontage along with a pedestrian walkway and parking within the Turnock Street road reserve. The pedestrian walkway will be located within the subject land. This design is considered to be satisfactory creating an active street frontage with the development addressing the street.

It should be noted that DCP9 shows a drainage reserve adjacent to the subject land within the residential zone to the west. This reserve has a width of 50m.

This drainage reserve has not been created and whether or not it is developed in the location shown will be a factor in determining the extent the development will impact on development on this land. In respect of the location of this drainage reserve, Council’s Infrastructure Engineer has advised that the drainage reserve indicated on the DCP9 plan is still proposed, however its location on the plan is schematic and will not necessarily be in the exact location shown. The plan is indicative only that there will be a drainage reserve and trunk drain in this general location for the purpose of conveying stormwater from the existing urban area south east of Turnock Street in a south westerly direction to the ultimate junction with the major south to north drain through West Kingscliff.

Notwithstanding the above, it is considered that the current proposal satisfactorily addresses the potential impact on future development of the land to the west.

Noise

A noise report was lodged with the original development application which is still applicable to the revised proposal. This report indicates two main noise sources associated with the proposed extension, these being the mechanical services plant and the goods vehicles delivery dock area. The assessment concludes that the following management measures would effectively mitigate predicted impacts:

- Restricting goods vehicle delivery hours from 7am to 10pm
• Acoustically screening roof mounted condenser units
• Installing an acoustic barrier adjacent the loading bay area

The application states that these measures are not required until such time as the adjoining land becomes developed.

The noise report has been reviewed by Council’s Environment and Health Unit and no objections raised subject to conditions of consent. The Health Unit has advised that delivery units should be restricted from 7am to 7pm and that as the extension will cause increased traffic for delivery. The acoustic barriers should be put in place during the proposed extensions, regardless of any future residential development. There is a history of complaint from a resident in Boomerang Street who is currently impacted by delivery and vehicle movements on the site.

Therefore, any approval should contain a condition requiring the installation of these acoustic barriers and a further condition requiring the adequacy of these measures to be reviewed and upgraded if required at the time the land to the west is developed.

Light

In respect of lighting impacts, a condition of any consent will require that light spill is to be contained within the property boundary and details lodged prior to issuing of any construction certificate.

Access, Traffic and Transport

The issue of car parking has previously been discussed.

It is proposed to utilise the existing access from Pearl Street and create two new access points onto Turnock Street. No objections have been raised by Council’s Engineering Services Division or the Regional Traffic Advisory Committee in relation to access subject to conditions.

Traffic

The proposed stage 1 is slightly larger than the current centre and will be 55% of the total area of shopping centre. Traffic generated by the combined centre is estimated to be 3572 vehicles per day excluding the service station, the traffic attributable to the stage 1 development is estimated at 1976 vehicles per day.

The traffic generated by the centre will be split between the existing entry in Pearl Street and the new access in Turnock Street.

As Turnock Street is a distributor road a channelised right hand turn lane is to be constructed at this access to minimise impacts on through traffic. The raised concrete centre median is to extend to the service bay access at the western end of the site to prevent traffic turning right into the angle parking bay.
Design

In 1998 the draft Kingscliff Urban Design Plan was prepared by Consultants Deicke Richards on behalf of Council. This plan aims to improve the overall design of developments, develop an identity for Kingscliff and make the town more “liveable” for residents and tourists in terms of pedestrian routes and meeting places. The plan indicates that “landmark” features and “activity nodes” which help places to achieve a sense of identity should be incorporated into the design of the site, particularly on the corner of Pearl Street and Turnock Street and along Turnock Street itself. Additionally, the plan indicates that building form should be orientated towards the street frontages but recessed to promote active street frontages. It is considered the revised design is, with a 4.5-5m sculpture landscape feature on the corner of Turnock and Pearl Street and shop frontages addressing Turnock Street is consistent with the provisions of this plan.

It would however, be more desirable if a strong built form could be located on this corner. It is however acknowledged that this is very difficult considering the existing buildings on the site and their location. The applicant has submitted a concept for a stage 2 which involves the location of shops on the corner of Turnock and Pearl Street and also shops along Pearl Street on the current service station site. The location of the land mark feature could be incorporated into this stage 2 component thus strengthening the corner. It should be noted however, that stage 2 will be largely dependent on achieving the required parking on site. The concept submitted shows a two storey car park within the site which would not be encouraged. Should Council approve this application a condition of consent should advise the applicant that by approving Stage 1 does not in any way indicate support for Stage 2. Stage 2 would need to be assessed on its merits at the time a formal development application was submitted to Council.

Council at its meeting on 15 November, 2000 resolved to place on exhibition a draft Development Control Plan for Kingscliff. This Development Control Plan has been developed largely from the Kingscliff Urban Design Plan discussed above. The principles contained in this plan relating to this site are generally as contained in the Urban Design Plan and therefore it is considered that the revised design is consistent with the principles of this plan.

The general concept is considered consistent with the zone objectives and retail floor space will service the daily and weekly needs of the surrounding population. The design is considered satisfactory having regard to the relevant plans applying to Kingscliff and considering the importance of this commercially zoned site.

The proposal will no doubt provide social and economic benefits to the community of Kingscliff. This has been reinforced by letter submitted by the Kingscliff and District Business Corporation emphasising the importance of this development proceeding.

Redevelopment of the site should strengthen both the built form and overall commercial activity of Kingscliff Shopping Centre. It is considered, having regard to the constraints of the site, that the revised proposal does achieve this.
Pedestrian Access

The revised proposal provides satisfactory pedestrian access along the Turnock Street frontage and through the site. Bicycle parking previously proposed along the Turnock Street frontage has been relocated to the south east portion of the site providing continuity of pedestrian access along Turnock Street. Additional pedestrian access is also proposed through the south eastern side of the site to the Gales Holding land. It is considered that a right of way should be provided over these two access points to ensure security of access from the land to the west in the future.

Social and Economic Impacts

The proposal has benefits to the community in terms of servicing retail needs and providing employment both during the construction stage and post construction stage. The proposal will also assist in strengthening the commercial centre of Kingscliff creating activity within this precinct and the focal point for the local community.

(c) Suitability of the Site for the Development

The site itself is considered suitable for redevelopment, being relatively flat and centrally located in terms of the current Kingscliff population and future populations. The revised proposal satisfactorily addresses the relationship to surrounding developments and possible future developments within the area.

Utilities

Water and sewer services are available to the site. One of the objectors raised concerns regarding site drainage and impacts on land to the south west. Councils Infrastructure Engineer has reviewed the drainage proposed and has advised that the point of discharge proposed by the proponent is in the Councils existing pipe in Turnock Street which discharges further south west along Turnock Street adjacent to Gales Holding land. The applicant has indicated that drainage from the site will be controlled to pre-development levels prior to discharge.

Councils Manager of Planning and Design has advised to overcome the issue regarding legal discharge points raised by one of the objectors that a condition requiring discharge of stormwater into the adjoining property shall be limited to the pre-development as indicated on the drainage plans submitted by the applicant and evenly distributed across the southern boundary by means of a low spillway.

Flora and Fauna

Vegetation cover on the site primarily consists of grasses, weed and some remnant garden species from the previous use of the land for residential purposes. Two small clumps of the cordyline congesta (palm lily) is also present on the site. This plant is a ROTAP species but not a threatened species. It is proposed that removal and transportation of the species will occur as part of the site works. The work would be undertaken by a qualified nurseryman and will be conditioned accordingly if Council grants consent.
Reports from Director Development Services

Therefore, having regard to the limited vegetation on site and the provisions of Section 5A of the Environmental Planning and Assessment Act, 1979, it is concluded that the subject development will not have a significant impact on any endangered species, population or ecological communities.

(d) Any submissions made in accordance with the Regulations or the Act

Public Authorities

The application was referred to the Roads and Traffic Authority in accordance with the provisions of SEPP11. Comments provided by this Authority have been previously discussed in this report.

Public Submissions

At the time the original application was submitted, although not statutorily required to be advertised, the development application was advertised and adjoining owners notified of the development.

At that time a total of two (2) submissions were received. The first submission raised concerns about the existing loading facilities at the liquor store and the proposed arrangements for loading for the additions. Although the submission was not clear as to the specific objections to the proposal, verbal advice indicated that the concern is that trucks which use the existing loading facility are causing a noise nuisance to residents who occupy the units adjacent to the site along Pearl Street. The objector considers that loading faculties should be provided from Turnock Street to the rear of the building. It is considered that this is not appropriate due to the adjacent land to the rear being zoned for future residential development.

The second submission to the original proposal raised the following issues:-

- "In principle, there is no objection to retail development, however, issues raised have not been addressed.

- The present proposal would have severe negative impacts on the future development of adjacent land. This adjacent land is ideal for high density housing due to its proximity to shops and the beach.

- The proposal has a potential to prejudice the development of adjacent land for residential housing. These issues need to be resolved. The impacts are:-
  - noise impacts
  - drainage impacts
  - inadequate details are provided on proposed landscaping
  - unacceptable visual amenity impacts
  - lighting of the proposed extensions due to proximity of adjacent residential land
Reports from Director Development Services

- **Noise** – the noise report contains some inconsistencies and unsatisfactory impacts. No background noise studies were undertaken. The recommendation in the report concerning hours of operation are not acceptable. More reasonable to limit the hours from 7am to 7pm. All noise control measures (including fencing) should be provided by the applicant.

- **Drainage** – the design does not incorporate any of the recommendations of the Kingscliff Catchment and Drainage Management Plan concerning commercial development in Kingscliff. These recommendations include:
  - Use of grass swales where practical
  - Installation of rainwater tanks
  - Use of infiltration tanks
  - The use of impervious paving should be discouraged but not including these features downstream impacts could be made worse
  - No details are provided to quantify Q100 overland flows and impacts on adjoining land
  - Visual impacts – building is too close to the common boundary. It has a bulky appearance that turns its back on the adjacent site. Concern with shadow impact. Large sealed areas in proximity to boundary points. Overdevelopment of the site.
  - Landscaping on southern boundary - application makes no meaningful attempt to mitigate visual impacts through the use of dense planting. Most of the proposed trees are sited in the edge of the retaining wall. Trees may not survive in this location or reach mature height. A tall dense buffer is required to reduce the visual impact.
  - Lighting – no details submitted on nature or extent of lighting, hours of operation of lighting, degree of illumination or likely impact on adjacent land.”

It is considered that the issues raised above in the original objection from the landowner to the west have been largely satisfied through consultation with Council staff resulting in a amended design being submitted.

On receipt of the amended proposal the main objector, the landowner to the west, was forwarded a copy of the revised proposal. A detailed submission was received objecting strongly to the revised proposal. Issues of major concern to this landholder were:

- Over-development of the site
- Visual impacts
- Lighting from shopping centre extension
- Drainage
- Car parking and traffic
- Draft Kingscliff Urban Design Strategy
Reports from Director Development Services

The applicant responded to this further submission by relocating the plant room from the western boundary resulting in a reduction in the height of the wall located along the boundary to 5.2m from the existing ground level on the site.

The objector in their latest submission also raises issues regarding the need for a public transport impact statement in accordance with DCP2. This section of the DCP applies to developments over 5000m$^2$ and therefore strictly speaking this is only an extension, less than 5000m$^2$, this requirement would not be called up. However, notwithstanding this, the subject site is located on the corner of Pearl and Turnock Street where there is a designated bus stop currently located on both these corners. It was therefore concluded that under the circumstances that such a study was not warranted.

The objector also raises issues regarding specific design requirements in relation to DCP2. These requirements will be required as conditions of consent.

(e) The public interest

It is accepted that the proposal will have obvious social and economic benefits in that it will provide residents of the locality a larger shopping facility in an established commercial precinct. The overall design of the proposal is considered acceptable considering the constraints of existing development on the site.

The current design satisfactorily addresses the provisions of the draft Development Control Plan for Kingscliff and the Urban Design Plan for Kingscliff.

Council also needs to take into consideration the provisions of the adopted Tweed Shire 2000+ Strategic Plan. In this regard Policy and Action No. 104 is relevant and it states:-

"Council will employ contemporary urban design principles to maximise the desirability of town and district centres for public use. Consideration will be given to social interaction, recreation, amenity, culture, delivery of support services and the transaction of commerce”.

It is considered the revised proposal is consistent with the above action.

LEGAL/FINANCIAL/RESOURCE IMPLICATIONS

If the applicant is not satisfied with Councils determination they have a right of appeal to the Land & Environment Court.

OPTIONS

Options in this instance appear to be as follows:-

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

CONCLUSION

This application has been reported to Council on a number of occasions where the application has not been considered suitable for approval. Significant consultation has occurred between the applicant and Council officers to achieve an outcome which is in the best interest for the future
Reports from Director Development Services

development of Kingscliff. The site is considered, due to its strategic location, significantly important in determining the quality and direction of future development for Kingscliff. The development of the site will assist in strengthening the central precinct of Kingscliff and be a focal point for the local community.

Since the Council meeting of 15 November, 2000, two meetings have been conducted with the applicant and his consultants to discuss the issues raised in the report to Council. Representatives from Franklins also attended the first of these two meetings.

The outcomes of these meetings resulted in:-

- Relocation of the plant room away from the western boundary allowing a reduction in the height of the wall from 7.8m to 5.2m above finished ground level;
- The inclusion of an additional pedestrian connection through the site to the west;
- Provision of a “landmark” element on the corner of Pearl and Turnock Street. This consists of a “stone” or similar arch approximately 3.5–4.0m high incorporating a decorative sign announcing the arrival in Kingscliff. This sign is to be “wrought iron” nature incorporating artistic designs depicting Kingscliff in the background of the sign;
- Provision of low height walls and seating along the Pearl Street and Turnock Street frontages adjacent the car park. The walls provide a opportunity for local artwork to be incorporated into it;
- More extensive landscaping including shade trees adjacent to the kerb line of both Turnock and Pearl Streets.

The proposed treatment of the Pearl/Turnock Street corner of the site will provide a significant entry statement and has satisfactorily addressed the urban design issue relating to this corner. The amended proposal also makes provision for these elements to be incorporated into any subsequent commercial development of this area for shops in the future.

The revised design is considered to satisfactorily address the planning policies applying to the site with shop frontages addressing Turnock Street, adequate pedestrian linkages being provided through the site and to the site, and a significant landmark feature being proposed on the corner of Turnock and Pearl Streets which will strengthen this corner. Impacts on future development to the west have been minimised through the design of the building. Opportunity exists for future development of shop frontages along Pearl Street and Turnock Street in the future subject to satisfactory design and adequate parking being able to be made available on site or in close proximity. It is considered that the 7 reasons recommended for refusal of the application previously have been satisfactorily addressed as a result of the revised proposal with the exception of reason 3 relating to overdevelopment of the site. This reason alone is not considered of a magnitude to warrant refusal, particularly having regard to the net benefit the development will have to the local Kingscliff community. The net deficiency in car parking equates to 2% of the total number of car parking spaces required. It is considered the revised proposal is satisfactory and is recommended for approval.
3. ORIGIN: Development Assessment Unit

FILE REF: DA4510/10 Pt2

REPORT TITLE:

Proposed Motorcycle Events – Five (5) Events Per Year until 2005 at Murwillumbah Showground - Queensland Road, Murwillumbah

SUMMARY OF REPORT:

A development application has been received seeking approval for the carrying out of five (5) motorcycle events per year until 2005, at the Murwillumbah Showground. The application is essentially a request to extend a previous consent issued by Council for the carrying out seven (7) motorcycle events at the same venue (Council resolution 2 June 1999).

The primary issue associated with the application is noise generation and loss of amenity in relation to neighbouring residents. A noise report, relevant to events previously held, has been submitted by the applicant and factored into the assessment of this proposal. This report has been assessed by Council’s Environment & Health Services Unit, who have raised a number of concerns.

The application has been extensively notified, with a total of eight (8) individual letters of objection received. Several of the grounds for objection outlined in these submissions are of significant concern and highlight the loss of amenity experienced in relation to those events already held.

It should be noted that the applicant has modified their proposal (12.12.2000), in accordance with the submitted noise report, to incorporate five (5) events per year only.

RECOMMENDATION:

That Development Application 0729/2000DA for the carrying out of five (5) motorcycle events per year until 2005 at Lot 167 DP 729468, be refused for the following reason/s: -

1. The proposal will generate noise levels in excess of NSW Environment Protection Authority (EPA) acceptable limits for Motocross events, which will likely adversely impact on the residential amenity of the locality.

2. The proposal is contrary to the public interest.

3. The proposal is not suitable in the locality.
REPORT:

**Applicant:** Murwillumbah District Motorcycle Club  
**Owner:** Murwillumbah Showground Trust / Department Land & Water Conservation  
**Location:** Lot 167 DP 729468, Queensland Road, Murwillumbah  
**Zoning:** 6(b) Recreation (Special Purposes)

**PROPOSAL**

Council is in receipt of a development application seeking consent to utilise the Murwillumbah Showgrounds for five (5) motor cross meetings per year until 2005. No specific dates have been proposed as part of this application.

The proposal incorporates the use of the same area as that previously consented by Council (Development Consent K99/138), with no further physical amendments proposed to either the design of the existing track or operational details as reflected in the previous consent (see appendix A). In accordance with the previous consent, operating hours are to be limited as follows:

1. 9.00am to 5.00pm, with motorbikes not to be started before 10.00am and operated after 4.30pm.

The proposal also incorporates an undertaking that all events will be held in accordance with Motorcycling Association of Australia GCR guidelines and that strict attention will be paid to ensure that noisy bikes are either promptly repaired or removed from racing.

The applicant has argued that although the proposal does not comply with the noise criteria (EPA guidelines) for motocross events, the speedway criteria of the guidelines permit greater levels of noise generation when fewer events are proposed i.e. five (5) events or less per year. The applicant has therefore requested that this criterion be applied, rather than strict application of the motocross provisions. In this regard, speedway events may generate 30dB(A) or more per event if only five (5) events are held (in any one year), whereas the guidelines restrict motocross events to noise levels of 5dB(A) above background at 50 events per year (no allowance is made for less events). The noise report submitted by the applicant identifies that noise levels generated by events at the subject site are in the vicinity of 30dB(A) above background.
Reports from Director Development Services

Subject Site
HISTORY

Council resolved to grant limited consent for the carrying out of seven (7) motorcycle events at Murwillumbah Showground, at its meeting of 2 June 1999. This consent contained certain provisions limiting hours of operation, restricting noise generation to below 10dB(A) and requiring
the submission of a noise impact assessment after two (2) events. In this regard, the applicants submitted a basic noise report, which did not adequately assess the noise impacts of events held. At the request of Council officers, the applicants have submitted a further noise assessment carried out by a suitably qualified person. The latter report has been factored into the assessment of the proposal.

CONSULTATION

Having regard to potential noise impacts associated with the proposal, notification letters covering a wide area were forwarded to relevant property owners. In this regard, a total of 120 letters were sent, both informing owners of the application and inviting comments. In response, Council received one (1) letter of support (from Showground Trust) and a total of eight (8) letters of objection. A summary of objections is provided as follows:-

1. Based on past events, the generated noise is unbearable and effectively prohibits basic functions such as sleeping, relaxing and entertaining.

2. The motorcycle events should not be treated in isolation, as the showground also accommodates the annual show and other events, whilst the soccer club and sale yards are also located in close proximity.

3. The carrying out of motorcycle events often creates significant dust problems.

4. Most of the affected residents are elderly and are not able to adjust to or accommodate such noise levels. The events also impact upon the sleeping patterns of younger residents within the area.

5. Events such as those carried out should not be allowed in residential areas.

6. Events are invariably carried out on Sunday, which is a day of rest and relaxation.

7. The existing track provides for an undesirable vista from nearby residences, akin to a desolate scene.

8. The continued use of the showground for motorcycling events is likely to reduce property values.

9. The events make it difficult to provide a suitable environment for tenants. Compensation shall be sought from Council if this continues.

10. The events have incorporated a very audible public address system.

Comments

Given the benefit of actual experience and upon analysis of the submitted noise report, it is evident that neighbouring residents have indeed been subject to adverse noise levels. These adverse impacts appear to have been experienced, despite the best efforts of the applicant to control and restrict excessive noise generation. Indeed, the findings of the noise report submitted to Council are considered to be consistent with those concerns identified by affected residents.
Although, adverse noise impacts are not considered to be an ever present concern, the cumulative impact of noise emanating from other showground events and the operation of the saleyards and surrounding sporting fields is a genuine, yet difficult to quantify, concern.

Adverse impacts associated with dust generation are considered able to be satisfactorily ameliorated via suitable conditions, however, it should be noted that the placement of relevant conditions in this regard (on previous consent) has evidently been unable to control the generation of excessive dust levels to date. The latter is considered likely to be an issue related to unsatisfactory adherence to existing conditions of consent, rather than being physically unable to be addressed.

Adverse impacts associated with loss of property value are difficult to quantify and as such, it is an issue that has traditionally not formed a significant part of the assessment of applications. Notwithstanding this, the acknowledged loss of amenity associated with adverse noise levels is considered likely to impact upon the desirability of an area as a place of residence.

EVALUATION

The application has been assessed under the matters contained within Section 79C of the Environmental Planning & Assessment Act, 1979. This assessment is contained below.

(a) (i) Environmental Planning Instruments

Tweed Local Environmental Plan 2000 (TLEP 2000)

The subject land is zoned 6(b) Recreation under the provisions of TLEP 2000. The proposal is permissible with the consent of Council and is considered generally consistent with the objectives of the zone.

(ii) Any Development Control Plans (DCPs)

DCP No. 2 – Site Access & Parking Code

There are no specific provisions in the DCP for this particular type of development. Parking is available in and around the showground and should satisfactorily service the proposal. No adverse impacts are considered likely in this regard.

(b) Likely Impacts

The proposal will, by its very nature result in noise impacts upon the local area. What needs to be determined is ‘what is an acceptable level of impact’. In this regard, Council previously granted consent for the carrying out of seven (7) events, without the benefit of either hindsight or a detailed acoustical report, both of which are now in its possession.

Council’s Environment & Health Services Unit have undertaken an assessment of the proposal and provided the following comments in response:-

"The noise assessment carried out by Craig Hill & Associates is unsatisfactory in that the consultant has utilised the incorrect criteria for assessment of motocross events. In this regard, the consultant states that although the previous events have created noise levels in excess of Council requirements..."
(10dB(A)), the EPA Noise Control Guidelines permit up to five (5) events (per year), where noise generation is in excess of 30dB(A).

The EPA guidelines do make reference to such a provision; however, this provision is only applicable to the carrying out of speedway motorcycle events, as opposed to motocross or mini-bike events. Speedway events are distinctly different from Motocross events, including the use of different vehicles and track configuration.

The EPA guidelines in relation to the carrying out of Motocross events, make provision for a general restriction of noise generation to be no greater than 5dB(A) above background at the residential boundary.

Based on the noise analysis submitted by the applicant, the events held to date and those proposed, do not comply with the current EPA noise control guidelines (5dB(A) for Motocross) or for that matter, the 10dB(A) criteria set by Council in relation to the previous consent. On this basis, it is evident that the proposed mitigation measures (as proposed by Murwillumbah Motorcycle Club) have been inadequate to ameliorate noise impacts associated with the holding of events.

It is concluded that the development application cannot be supported due to the emissions of offensive noise experienced by nearby residents.”

Comment:

The noise report submitted by the applicant identified noise levels in the vicinity of 30dB(A) above background. Indeed, the applicant’s consultant concludes as follows:

“To reduce noise levels at residential properties it would be necessary to relocate the track to a new location with better separation from residential properties (500m to 1000m and no line of site to operations).”

The current proposal falls well short of the above conclusion, let alone compliance with 10dB(A) requirement as set by Council in the previous consent and the 5dB(A) level required for motocross events (EPA guidelines). Despite, arguing that the speedway criteria (EPA Guidelines) are suitable for use in the assessment of the proposal, the applicants own consultant acknowledges that there is a very real noise concern associated with the carrying out of events at the subject site. In regards to the applicant’s assertion that the speedway guidelines are more relevant to the proposal, it is considered that there are very few similarities between Speedway and Motocross events and accordingly, the motocross criteria of the EPA guidelines are the only relevant criteria.

Furthermore, objections received by Council in relation to the current application, indicate that the carrying out of motorcycle events on the subject site do actually create significant amenity concerns as a result of excessive noise generation. These objections cannot be discounted given the findings of the applicant’s noise report. On this basis it is considered that the subject site is unsuitable for use as a Motocross venue.
It should also be noted that nearby residents are also, at times subjected to noise generating events such as the show, cattle sales and sporting events. Although difficult to quantify, the proposal may well exacerbate an existing concern.

All other matters are considered able to be satisfactorily addressed via the imposition of relevant conditions of consent.

(c) **Suitability of the Site**

Whilst the benefits of the subject site are undoubted (space, proximity to services etc), it is evident that the proximity of neighbouring residences is too severe a constraint to overcome. Indeed, the noise report submitted by the applicant supports the view that to overcome the creation of adverse noise impacts, affected dwellings and the venue need a further separation of between 500m and 1000m.

The subject site is considered unsuitable to accommodate the proposed development.

(d) **Submissions**

Submissions received in response to the notification of the proposal have been addressed earlier in the report under the heading of ‘Consultation’.

(e) **The Public Interest**

As previously discussed, the application has been extensively notified, with a total of eight (8) submissions of objection received. Having regard to the contents of this report and notwithstanding the infrequency of proposed events, the subject application is considered likely to compromise the public interest.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS**

Should the applicant be dissatisfied with Council’s determination of the matter, a right to appeal to the Land & Environment Court is available. There are no third party appeal rights.

**OPTIONS**

In this instance it appears that Council’s options are limited to the following:-

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

The central issue in relation to the subject application is the generation of excessive noise levels (in relation to both EPA and Council guidelines). Given the findings of the applicant’s noise report and the letters of objection received during the submission period, it is considered that the subject site is unsuitable for the proposed use. Whilst it is acknowledged that certain benefits are evident in relation to the use of the subject site, it is evident that despite the best efforts of the club to date, significant adverse impacts have occurred, and are likely to continue, should the subject application be supported. Having regard to the noise report submitted, letters of objections received and the contents of this report, the proposal is considered to warrant a recommendation for refusal.
4. ORIGIN: Development Assessment Unit

FILE REF: DA3065/365 Pt1

REPORT TITLE:
The Erection of a Dwelling House and Conversion of An Existing Dwelling House to Tourist Accommodation at Lot 12 DP 862591 Limpinwood Valley Road, Limpinwood

SUMMARY OF REPORT:
An application has been received seeking approval for the above. The subject land has an area of 40 hectares and existing improvements include a 2 storey dwelling and a farm shed. Access to the land is achieved over a right of carriageway which will need to be upgraded to a sealed standard.

The application was advertised for a period of fourteen (14) days and adjoining owners notified. Two (2) submissions of objection were received. The grounds for objection included upgrading of the right of carriageway and Limpinwood Valley Road, impact on amenity of locality and impact on adjoining farming activities. The grounds for objection were considered and they did not warrant refusal of the application. Accordingly, the proposed development should be supported.

RECOMMENDATION:
That Development Application 0859/2000DA submitted by Yumi Design for the erection of a dwelling house and conversion of an existing dwelling house to tourist accommodation at Lot 12 DP 862591 Limpinwood Valley Road, Limpinwood be approved subject to the following conditions:-

PRE-REQUISITES – conditions that must be complied with prior to the issue of a construction certificate

1. (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.

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.
Reports from Director Development Services

a. Tweed Road Contribution Plan: $4,979
   S94 Plan No. 4 (Version 4.0)
   Rural Outer Zone - Commercial
b. Open Space (Structured): $214/bed $428.00
   S94 Plan No. 5
c. Emergency Facilities (Surf Lifesaving) $27.59/person $110.40
   S94 Plan No. 16
d. Extensions to Council Administration Offices
   & Technical Support Facilities $238/bedroom $476.00
   S94 Plan No. 18

2. An effluent report is to be submitted to the satisfaction of the Director Environment and Community Services Prior to the release of the Construction Certificate. The effluent report shall be prepared by a suitably qualified consultant. It shall report on the adequacy and effectiveness of the existing OSMF and associated disposal mechanisms to adequately treat and dispose of all domestic wastewaters generated on site in view of the additional hydraulic and nutrient loadings.

GENERAL

3. The development shall be completed in general accordance with Plans Nos 000101 to 000110 prepared by Yumi Design and dated July 2000, except where varied by these conditions.

4. 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 the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.

5. The door to a fully enclosed sanitary compartment must:-
   i. open outwards; or
   ii. slide; or
   iii. be readily removable from the outside of the sanitary compartment;
      unless there is a clear space of at least 1.2m between the closet pan within the sanitary compartment and the nearest part of the doorway.

6. 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.
7. 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.

8. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
   a. footings, prior to pouring of concrete
   b. slab, prior to pouring of concrete
   c. frame prior to the erection of brick work or any wall sheeting
   d. final inspection prior to occupation of the building

9. The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:
   (i) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and
   (ii) Certification of the works performed by the person carrying out the works is to be submitted to the PCA prior to occupation of the building; and
   (iii) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-
       (A) the method of protection; and
       (B) the date of installation of the system; and
       (C) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
       (D) the need to maintain and inspect the system on a regular basis.

Note: Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

10. 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 required erosion and sedimentation control devices have been installed and are operational.
   ii. Required toilet facilities have been provided on the site in accordance with Section 78i of the Environmental Planning & Assessment Amendment Regulations 1998.
iii. A sign has been erected on the site in accordance with Section 78H of the Environmental Planning & Assessment Amendment Regulations 1998.

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

v. That the licensee has complied with the provisions of Section 78c of the Environmental Planning and Assessment Amendment Regulations 1998.

11. The glazier is to supply the PCA with certification that all glazing complies with AS 1288-1994 and AS2047 of the Building Code of Australia.

12. Manufacturers certification is to be provided to the PCA from the Roof Truss manufacturer to certify the roof truss design.

13. 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.

14. All trade materials, product and plant to be kept within confines of the building at all times.

15. All loading/unloading to take place within the boundary of the subject property.

**PREScribed (BUILDING)**

16. 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.

17. 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.

18. 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.
19. The building is not to be occupied or a final Occupation Certificate issued until a fire safety certificate has been issued for the building to the effect that each essential fire safety measure listed in the schedule below has been designed and installed in accordance with the relevant standards.

Such certificate shall state as to each essential fire measure installed in the building:

(a) that the service has been inspected and tested by a person who is competent to carry out such an inspection or test; and

20. 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).

21. A. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

i. in the case of work to be done by a licensee under that Act:
   (i) has been informed in writing of the licensee’s name and contractor licence number; and
   (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act; or

ii. in the case of work to be done by any other person:
   (i) has been informed in writing of the person’s name and owner-builder permit number, or
   (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of *owner-builder work* in Section 29 of that Act,

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

B. A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

22. 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
certification 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.

23. 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)

24. 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.

25. Details from a Structural Engineer are to be submitted to the Principal Certifying
    Authority for approval for all bracing and tiedown, prior to work being commenced on
    that part.

FIRE (BUILDING)

26. Portable fire extinguishers containing an extinguishing agent suitable for the risk being
    protected must be installed in accordance with Australian Standard AS 2444 “Portable
    Fire Extinguishers - Selection and Location” and Part E1.6 of the Building Code of
    Australia.

27. An automatic fire detection and alarm system, designed to ensure the occupants are
    given adequate warning so they can evacuate the building in an emergency, must be
    installed in Class 1a building, or dwelling or dual occupancy and within sole occupancy
    units in a townhouse.

Smoke detection and alarm systems must be installed in accordance with Part 3.7.2.3 of
the Building Code of Australia and must comply with Australian Standard AS 3786.

Smoke alarms must be connected to the consumer mains power where consumer power
is supplied to the building.

Smoke alarms must be installed on or near the ceiling in -
Reports from Director Development Services

(a) any storey containing bedrooms -
   (i) between each part of the dwelling containing bedrooms and the remainder of the dwelling; and
   (ii) where bedrooms are served by a hallway, in that hallway; and

(b) any other storey not containing a bedroom.

A Certificate of Compliance is to be submitted to the PCA prepared by the licensed Electrical Contractor certifying that the installation complies with the above, prior to occupation of the building.

DISABLED (BUILDING)

28. Please note that while the proposal, subject to the conditions of approval, may comply with the provisions of the Building Code of Australia for persons with disabilities your attention is drawn to the Disability Discrimination Act which may contain requirements in excess of those under the Building Code of Australia. It is therefore required that these provisions be investigated prior to start of works to determine the necessity for them to be incorporated within the design.

SWIMMING POOLS

29. 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.

30. A. The swimming pool is to be installed and access thereto restricted in accordance with Council’s “Code for the Installation of New Swimming Pools” and Australian Standard AS 1926-1986 (Copy of code enclosed).
   B. Swimming pools shall have suitable means for the drainage and disposal of overflow water.
   C. The pool filter is to be enclosed and located in a position so as not to cause a noise nuisance to adjoining properties.
   D. It is the responsibility of the pool owner to ensure that the pool fencing continues to provide the level of protection required regardless of and in response to any activity or construction on the adjoining premises. Due regard must be given to the affect that landscaping will have on the future effectiveness of the security fencing. (Section 7 Swimming Pool Act 1992).
   E. The resuscitation poster must be permanently displayed in close proximity to the swimming pool. (Section 17 Swimming Pool Act 1992).
F. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction.

a. Steel reinforcing prior to the pouring of concrete.

b. Swimming pool safety fencing prior to filling the pool with water.

G. In the event that Council is not utilised as the inspection/certifying authority:-

a. Within seven (7) days of the filling of the pool a Compliance Certificate in the prescribed form shall be submitted to Council together with the prescribed fee, by the Accredited Certifier to certify that all works have been completed in accordance with the approved plans and conditions of Consent and that the swimming pool safety fencing has been installed and complies with AS 1926.

b. The Certifying authority is to be given 24 hours notice in writing for an inspection of the swimming pool safety fencing prior to filling the pool with water.

31. The swimming pool is not to be used for commercial purposes without prior Development Consent.

ROADS & STREETS

32. The right of carriageway over adjoining Lot 11 DP 862591 is to be constructed with a 100mm thick gravel base 3.6m wide with a 2 coat bitumen seal with a width of 3m for the full length of the right of carriageway.

DRAINAGE/FLOODING

33. 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.

34. All surface and seepage waters liable to be a nuisance are to be collected and diverted clear of the building site by an approved drainage system separate to the roof water system.

35. Details of the intended method of water storage are to be submitted to the Principal Certifying Authority for approval prior to occupation of the completed dwelling. Please note that the minimum storage capacity required shall be 20,000 litres.

ENVIRONMENT PROTECTION

36. Suitable covering and protection is to be provided to ensure that no material is removed from the site by wind, causing nuisance to neighbouring properties.

37. 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.
38. 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.

39. 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.

40. A detailed site contamination report is to be provided which is prepared in strict accordance with the provisions of the NSW EPA’s Contaminated Site “Guidelines for Consultants Reporting on Contaminated Sites” November 1997 and Council Contaminated Land Policy.

Note:-

1. It is a requirement of these Guidelines that all contamination reports include a clear statement from the consultant as to the suitability or otherwise of the subject site for the proposed use, together with a statement detailing all limitations and constraints that are applicable in relation to the use of the site.

2. Any contamination report that does not provide and follow the recommended report sections and information requirements as specified within the Guidelines will be returned on the basis of insufficient information provided.

3. Other relevant or applicable EPA Guidelines are to be used as appropriate.

41. The burning of builders waste on site by open fire is prohibited.

42. 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.

43. Any roof rainwater collection system for the storage of water for drinking purposes shall incorporate a first flush diversion device.

44. A drinking water management plan shall be compiled and implemented for the commencement of operation of the tourist accommodation. The plan shall include those requirements of Council’s Environment and Health Services Unit.

PLUMBING & DRAINAGE

45. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:

a internal drainage, prior to slab preparation;
b water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;

c external drainage prior to backfilling.

d completion of work.

46. A. A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.

B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.

47. Temperature and pressure relief lines from hot water systems shall discharge in the open as prescribed in Australian Standard AS 3500.4.1990 Section 4.12.3.

48. It is a condition of this consent to operate a system of sewage management that this clause is complied with.

(i) The sewage management facilities used in the operation of the system must be maintained in a sanitary condition and must be operated in accordance with the relevant requirements of this Regulation.

(ii) A sewage management facility used in the operation of the system must not discharge into any watercourse or onto any land other than its related effluent application area.

(iii) The conditions (if any) of any certificate of accreditation issued by the Director-General of the Department of Health under this Division in respect of the plans or designs for any components of the sewage management facilities must be complied with.

(iv) The person operating the system of sewage management must provide details of the way in which it is operated, and evidence of compliance with the relevant requirements of this Regulation and of the conditions of the approval, whenever the Council reasonably requires the person to do so.

49. Water plumbing shall **not** be installed in concrete slabs or be laid under slabs on the ground.

50. Pressed steel baths and shower trays are to be bedded in accordance with the method prescribed by the manufacturer.

51. The Council approved wet area flashing installer is to supply to the Principal Certifying Authority certification that all wet area flashings have been installed in accordance with the Manufacturer's Specifications, detailing the rooms or areas involved and the date of installation. **Note:** Only Council approved installers may carry out this work and reference must be made to Council to confirm that such installers are Council approved.

52. Impervious floors, properly graded and drained are to be provided to all wet areas.
Reports from Director Development Services

53. It is a condition of an approval to install, construct or alter a sewage management facility that the facility is not used (or used as altered) until the Council has given the applicant for approval notice in writing that it is satisfied that the facility has been installed, constructed or altered in substantial accordance with the approval.

54. Drainage lines must not penetrate footings unless certification is first obtained from a practising Structural Engineer.

55. The licensed Plumber/Drainer is to liaise with Council's Health and Building Surveyor to determine the location and design of the septic tank installation.

56. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.

57. All drainage lines are to be continuously bedded in accordance with the provisions of Section 5.4 AS 3500.2 - 1990.

58. Yard gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.

59. Council is to be notified, in writing, of any proposed changes to the waste treatment device.

60. The finished floor level of the building should finish not less than 225mm above finished ground level.

61. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:

* 43.5°C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and

* 50°C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.
REPORT:

Applicant:  Yumi Design
Owner:  Mr F C & Mrs L K Goodna
Location:  Lot 12 DP 862591 Limpinwood Road, Limpinwood
Zoning:  1(a) Rural
Est. Cost:  $300,000

PROPOSAL

An application has been received seeking approval for the erection of a dwelling house and conversion of an existing dwelling house to tourist accommodation at the abovementioned land.

The subject land has an area of approximately 40 hectares with frontage and access to Limpinwood Road. Vehicular access to the land is achieved over a right of carriageway over adjoining Lot 11 which is a gravel standard. The land is bounded by similar sized rural residential lots to the north and south, Limpinwood Valley Road to the east and Limpinwood Nature Reserve to the west. The land has flat, hilly and steep slopes. Existing improvements include a 2 storey dwelling and a farm shed.

The application proposes to convert the existing dwelling to tourist accommodation providing 2 guest rooms with shared kitchen, dining and lounge rooms on the first floor with 5 garage spaces, laundry, gym and workshop on the ground floor. A new single storey dwelling house is also proposed to be erected for the purpose of permanent accommodation.

The application was advertised for a period of 14 days and adjoining owners notified. Two (2) submissions ob objection were received. These submissions will be discussed in the “consultation” section of this report.
CONSULTATION

As discussed, the application was advertised for 14 days and adjoining owners notified. Two (2) submissions of objection were received.

The submissions of objection are summarised below and comments provided were necessary:

- Right of Carriageway need to be upgraded.

  **Comment:**

  As previously discussed the subject land is benefited by a right of carriageway over adjoining lot 11. This carriageway is at a gravel standard.

  It is considered that as this right of carriageway will carry increased traffic as a result of the proposed development, then it shall be upgraded accordingly. It is recommended that the right of carriageway be upgraded to have a 100mm thick gravel base at 3.6m wide with a 2 coat bitumen seal with a width of 3m for the full length of the right of carriageway plus any drainage requirements.

- Limpinwood Valley Road needs upgrading.

  **Comment:**

  The proposal will generate additional traffic along Limpinwood Valley Road which is of a gravel standard. In accordance with the Tweed Road Contribution Plan the developer will be required to make a monetary contribution towards upgrading the roads in the locality which include Limpinwood Valley Road. This is considered to be satisfactory.

- The burning off of material such as Camphor Laurel and the continual operation of farm machinery is affecting the amenity of the locality.

  **Comment:**

  The operation of farm machinery and the clearing of the block are considered to be normal rural farming activities and do not warrant refusal of the application. This work is not necessarily related to the proposed development in any case.

- The dwelling to be used for tourist accommodation is clearly visible from another house on an adjoining property and a vegetation screen should be provided to block this view.

  **Comment:**

  The nearest visible dwelling is approximately 600m from the site of the proposed tourist accommodation. Given the significant distance it is considered that a vegetation screen is not necessary. In any case significant landscaping and rehabilitation works have been undertaken around the subject dwelling which will partly provide a vegetation screen.

  The nearest dwelling is approximately 300 metres from the site of the tourist accommodation but this dwelling cannot be seen due to the extensive vegetation cover on the subject land and the adjoining land.
Reports from Director Development Services

- The proposal may jeopardise adjoining farming activities.

  **Comment:**
  
  *The proposed tourist accommodation and dwelling are both centrally located on the subject land and are not likely to jeopardise adjoining farming activities. Adequate buffer distances to the boundaries of adjoining lots are provided.*

- The development may require additional water to be pumped from Finchs Creek

  **Comment:**
  
  *Should any additional water be pumped from Finchs Creek then a license will need to be sought from the Department of Land and Water Conservation.*

**ASSESSMENT**

The proposal has been assessed against the matters for consideration contained within Section 79(c)(i) of the Environmental Planning and Assessment Act, 1979. This assessment appears below:-

(a) (i) **Statutory Provisions**

  Tweed Local Environmental Plan 2000 (TLEP 2000)

  The subject land is zoned 1(a) Rural and the proposal is permissible subject to Council consent.

(a) (iii) **Any Development Control Plan**

  DCP No 2 – Site Access and Parking code

  The proposal is consistent with the provisions of this plan. Adequate arrangements have been made for the provision of carparking.

(b) **Impacts**

  The proposed development is not likely to create any significant distances between the subject buildings and adjoining dwellings, and the extensive vegetation cover it is unlikely that the proposal will jeopardise the residential amenity of the locality.

  It is considered that the proposed development will not significantly detract on the locality and is generally consistent with the character at the locality.

  The right of carriageway will be upgraded to a sealed standard and a monetary contribution will be paid towards upgrading roads in the locality particularly Limpinwood Valley Road.

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

  The locality can be described as a pleasant rural residential environment. The subject land has an area of 40 hectares and has undergone extensive rehabilitation. The
proposed development is centrally located on the subject land and is unlikely to jeopardise the residential amenity on adjoining allotments.

The subject site is considered to be a suitable site for the accommodation of tourists wishing to enjoy a peaceful rural environment without detracting on the existing residential amenity, the environment or farming activities.

The existing effluent disposal system is likely to be suitable for both the new dwelling and the tourist accommodation subject to an effluent report being submitted to the satisfaction of the Director Environment and Community Services prior to the release of the Construction Certificate. In any case adequate area exists on the land to provide a new system.

(d) Public Submissions

As discussed in the “Consultation” section of this report the application was advertised and adjoining property owners notified. Two (2) submission of objection were received. See “Consultation” Section of this report.

No public authority submissions were received.

(e) Public Interest

The public interests have been taken into consideration in this report and it is considered that the proposed development is of a relatively minor nature that will not significantly detract on the residential amenity of the locality. It is also considered that the proposal will not jeopardise the environment or farming activities of the locality.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

In the event that the applicant is distributed with Council’s determination, a right of appeal exists to the Land and Environment Court. The proposed development is not designated and as such no third party appeal rights exists.

OPTIONS

It would appear that in this instance the following options are available to Council.

1. That the application be refused.
2. That the application be approved subject to appropriate conditions.

CONCLUSION:

Having regard to the above assessment it is considered that the proposed development is suitable to the locality and is unlikely to significantly jeopardise the environment, residential amenity and farming activities of the locality.
Two (2) submissions of objection were received and it is considered that the grounds for objection do not warrant refusal of the application in this instance. Adequate buffer distances and extensive vegetation cover exists between the proposed development and adjoining residences to protect their amenity.
Reports from Director Corporate Services

5. ORIGIN: General Manager

FILE REF: FNCC

REPORT TITLE:
Reduction in Number of Delegates to Far North Coast County Council

SUMMARY OF REPORT:
A letter has been received advising that the Governor has given his approval to reduce the number of Delegates to the Far North Coast County Council from 10 to seven, being one Delegate per constituent Council.

RECOMMENDATION:
That Council nominates one delegate to the Far North Coast County Council.
REPORT:

The following letter has been received from the Far North Coast County Council advising the reduction in number of Delegates to Council:

“The Governor has recently given his approval to reduce the number of Delegates to the Far North Coast County Council from 10 to seven, being one Delegate per constituent Council. The proclamation was published in the Government Gazette on Friday 17 November 2000.

Previously, Tweed and Lismore Councils had two Delegates and the proclamation of the Richmond Valley Council required that Council to also have two Delegates.

I have enclosed a copy of the Proclamation.

It should be noted that part 3 of the proclamation declares void the election of the existing Delegates from Tweed, Lismore and Richmond Valley Councils. This means that these Councils will need to elect a Delegate at their next meeting.

The current Delegates from Ballina, Byron, Copmanhurst and Kyogle remain as Delegates to the County Council.

The next meeting of the County Council is scheduled for 24 January. It would be preferable if the elections, where required, could be held prior to that date.”

Below is the Proclamation by the Honourable Gordon Samuels, Governor:

“I, the Honourable GORDON SAMUELS AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of section 397 of the Local Government Act 1993, hereby amend the proclamations in force constituting or varying the constitution of the Far North Coast County Council as constituted under the said Act by:

(1) varying the number of persons that comprise the County Council’s governing body from ten to seven so that each of the constituent councils shall have one representative on the County Council; and

(2) declaring that the change is to be effective as from the date of issue of this proclamation; and

(3) declaring that any election by the Lismore City Council, Richmond Valley Council and Tweed Shire Council of members of the County Council’s governing body held after their most recent ordinary elections of councillors and before the issue of this proclamation is declared void.”

Council at its meeting of 20 September 2000 resolved that Council’s representatives on the Far North Coast County Council would be Councillors James and Youngblutt.

In accord with the above advice, Council is required to reduce the number of delegates from two to one. A determination as to who is to represent Council is required.
6. ORIGIN: Financial Services Unit

FILE REF: Financial Report

REPORT TITLE:

Financial Report for Period Ending November 2000

SUMMARY OF REPORT:

Details of Council's investments as at November 2000.

RECOMMENDATION:

That the revised Investment Policy be adopted by Council as follows:-

1. **POLICY**

1.1 **Objectives**

- To undertake investment of surplus funds in line with Council's current Investment Strategy.
- To maximise earnings from authorised investments and ensure the security of Council Funds.

1.2 **Authority for Investment**

All investments are to be made in accordance with:-

- Local Government Act 1993 – Section 625;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2);

1.3 **Delegation of Authority**

The General Manager and Manager Financial Services have authority to invest surplus funds.

1.4 **Authorised Investments**

All investments must be denominated in Australian Dollars. Authorised Investments would include but not necessarily be limited to:

- Local/State/Commonwealth Government Bonds, Debentures or Securities;
- Managed funds (securities) issued by a fund manager (or its ultimate parent company), who has a minimum long term credit rating of “A” (S&P Australian Ratings) or better, or Moody Investor Services equivalent.
Reports from Director Corporate Services

- Deposits in prescribed securities that either have a minimum long term credit rating of “A” or short term rating of “A1” from Standard & Poors or Moody Investor Services equivalent.
- Interest bearing deposits/securities issued by a licensed bank, building society or credit union;
- Investments with NSW Treasury Corp/Hourglass Investment Facility; and
- Deposits with the Local Government Investment Services (“LGIS”)

D1.5 Guidelines

(A) Approved Investments with Funds Managers would include:-

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Minimum Recommended Investment Horizon</th>
<th>Maximum Weighting as % of Total Investment Portfolio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Funds (at call)</td>
<td>0-180 days</td>
<td>0.100</td>
</tr>
<tr>
<td>Cash Plus/Cash Enhanced Funds/or equivalent</td>
<td>3 months plus</td>
<td>0-90</td>
</tr>
<tr>
<td>Fixed Interest Funds</td>
<td>3 years plus</td>
<td>0-30</td>
</tr>
<tr>
<td>Capital Stable Funds</td>
<td>3 years plus</td>
<td>0-20</td>
</tr>
<tr>
<td>Balanced Funds</td>
<td>5 years plus</td>
<td>0-15</td>
</tr>
</tbody>
</table>

The asset structure and features of the fund are to be consistent with the time horizon, risk parameters, and liquidity requirements of Council as set out in its investment strategy.

(B) Council’s Direct Investments

QUOTATIONS ON INVESTMENTS

Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.

(C) Diversification/Credit Risk Guidelines

MANAGED FUND INVESTMENTS

The total amount invested with any one fund manager should not exceed 45% of average annual funds invested.
DIRECT INVESTMENTS

The amount invested with any one financial institution should not exceed the following percentages of average annual funds invested.

<table>
<thead>
<tr>
<th>Long Term Rating (Standard &amp; Poors)</th>
<th>Short Term Rating (Standard &amp; Poors)</th>
<th>Maximum Percentage of Total Investments</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA to AA-</td>
<td>A1+</td>
<td>45%</td>
</tr>
<tr>
<td>A+ to A-</td>
<td>A1</td>
<td>40%</td>
</tr>
<tr>
<td>BBB+ to BBB-</td>
<td>A2</td>
<td>20%</td>
</tr>
</tbody>
</table>

CREDIT RATINGS

If any of Council’s investments are downgraded such that they no longer fall within these investment policy guidelines, they will be divested as soon as is practicable.

(D) Performance Benchmarks

<table>
<thead>
<tr>
<th>Investment</th>
<th>Performance Benchmark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash/Cash Plus/direct Investments</td>
<td>11 AM and UBSWA Bank Bill Index</td>
</tr>
<tr>
<td>Fixed Interest</td>
<td>UBSWA 0-3yr and/or All Maturities Indices</td>
</tr>
<tr>
<td>Capital Stable Funds</td>
<td>CPI + 2% av. Rolling 3 yr periods</td>
</tr>
<tr>
<td>Balanced Funds</td>
<td>CPI + 3% av. Rolling 3 yr periods</td>
</tr>
</tbody>
</table>

(E) Reporting

A monthly report should be provided to Council, detailing the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio.

For audit purposes, certificates must be obtained from the banks/funds managers confirming the amounts of investment held on Council’s behalf at 30th June each year.

(F) Variation to Policy

The General Manager and Manager Financial Services be authorised to approve variations to this policy if the investment is to Council’s advantage and/or due to revised legislation.

All changes to this policy are to be reported to Council by the end of the following month.
Reports from Director Corporate Services

REPORT:

The following financial information is provided for the period ending 30 November 2000:

1. **CURRENT INVESTMENT PORTFOLIO BY CATEGORY**

   ![Pie Chart of Funds Invested by Category]

   - **Call Account**: 1%
   - **Negotiable Cert. Dep.**: 2%
   - **Floating Rate Note**: 19%
   - **Bank Bills**: 0%
   - **Term Deposits**: 30%
   - **Fund Managers**: 48%
2. **Investment Rates - 90 Day Bank Bill Rate (%)**

![Graph showing the WDR Bank Bill Index from October 1999 to November 2000.]

<table>
<thead>
<tr>
<th>Date</th>
<th>Oct-99</th>
<th>Nov-99</th>
<th>Dec-99</th>
<th>Jan-00</th>
<th>Feb-00</th>
<th>Mar-00</th>
<th>Apr-00</th>
<th>May-00</th>
<th>Jun-00</th>
<th>Jul-00</th>
<th>Aug-00</th>
<th>Sep-00</th>
<th>Oct-00</th>
<th>Nov-00</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>0.00</td>
<td>1.00</td>
<td>2.00</td>
<td>3.00</td>
<td>4.00</td>
<td>5.00</td>
<td>6.00</td>
<td>7.00</td>
<td>8.00</td>
<td>9.00</td>
<td>10.00</td>
<td>11.00</td>
<td>12.00</td>
<td>13.00</td>
</tr>
</tbody>
</table>

3. **Annualised Rate of Return for Fund Managers**

<table>
<thead>
<tr>
<th>Fund</th>
<th>30 Days</th>
<th>90 Days</th>
<th>1 Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANZ</td>
<td>6.97</td>
<td>6.76</td>
<td>6.40</td>
</tr>
<tr>
<td>Bankers Trust</td>
<td>6.08</td>
<td>6.19</td>
<td>5.95</td>
</tr>
<tr>
<td>Macquarie</td>
<td>5.57</td>
<td>6.65</td>
<td>5.92</td>
</tr>
<tr>
<td>National Mutual</td>
<td>6.44</td>
<td>6.71</td>
<td>6.22</td>
</tr>
</tbody>
</table>
4. **MONTHLY COMPARISON OF TOTAL FUNDS INVESTED**

![Graph showing total funds invested by month from 1998/1999 to 2000/2001. The x-axis represents the months of the year, and the y-axis represents the total funds invested in millions.]

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun</td>
<td>$100,000</td>
<td>$150,000</td>
<td>$200,000</td>
</tr>
<tr>
<td>May</td>
<td>$150,000</td>
<td>$200,000</td>
<td>$250,000</td>
</tr>
<tr>
<td>Apr</td>
<td>$200,000</td>
<td>$250,000</td>
<td>$300,000</td>
</tr>
<tr>
<td>Mar</td>
<td>$250,000</td>
<td>$300,000</td>
<td>$350,000</td>
</tr>
<tr>
<td>Feb</td>
<td>$300,000</td>
<td>$350,000</td>
<td>$400,000</td>
</tr>
<tr>
<td>Jan</td>
<td>$350,000</td>
<td>$400,000</td>
<td>$450,000</td>
</tr>
<tr>
<td>Dec</td>
<td>$400,000</td>
<td>$450,000</td>
<td>$500,000</td>
</tr>
<tr>
<td>Nov</td>
<td>$450,000</td>
<td>$500,000</td>
<td>$550,000</td>
</tr>
<tr>
<td>Oct</td>
<td>$500,000</td>
<td>$550,000</td>
<td>$600,000</td>
</tr>
<tr>
<td>Sep</td>
<td>$550,000</td>
<td>$600,000</td>
<td>$650,000</td>
</tr>
<tr>
<td>Aug</td>
<td>$600,000</td>
<td>$650,000</td>
<td>$700,000</td>
</tr>
<tr>
<td>Jul</td>
<td>$650,000</td>
<td>$700,000</td>
<td>$750,000</td>
</tr>
</tbody>
</table>

5. **ANNUAL PROGRESSIVE TOTAL OF INTEREST ON TOTAL FUNDS INVESTED**

![Graph showing the progressive total of interest earned by month from 1998/1999 to 2000/2001. The x-axis represents the months of the year, and the y-axis represents the progressive total in millions.]

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun</td>
<td>$0.00</td>
<td>$500,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>May</td>
<td>$500,000</td>
<td>$1,000,000</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Apr</td>
<td>$1,000,000</td>
<td>$1,500,000</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Mar</td>
<td>$1,500,000</td>
<td>$2,000,000</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>Feb</td>
<td>$2,000,000</td>
<td>$2,500,000</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Jan</td>
<td>$2,500,000</td>
<td>$3,000,000</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>Dec</td>
<td>$3,000,000</td>
<td>$3,500,000</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>Nov</td>
<td>$3,500,000</td>
<td>$4,000,000</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Oct</td>
<td>$4,000,000</td>
<td>$4,500,000</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Sep</td>
<td>$4,500,000</td>
<td>$5,000,000</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Aug</td>
<td>$5,000,000</td>
<td>$5,500,000</td>
<td>$6,000,000</td>
</tr>
<tr>
<td>Jul</td>
<td>$5,500,000</td>
<td>$6,000,000</td>
<td>$6,500,000</td>
</tr>
</tbody>
</table>

6. **MARKET COMMENTARY**

The Australian economy appears to be moving towards a steady interest rate environment.

The domestic market is expected to follow the global trend towards an economic slowdown, however the Reserve Bank of Australia and Treasury appear confident that the reduction in growth will be moderate.

The RBA next meets on 6 February 2000. Interest rates are expected to remain "on hold" if not actually fall over the course of the new year.
### 7. INVESTMENT SUMMARY AS AT 30 NOVEMBER 2000

#### GENERAL FUND

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banks</td>
<td>21,655,000.00</td>
</tr>
<tr>
<td>Fund Managers</td>
<td>3,250,751.16</td>
</tr>
<tr>
<td>Local Govt. Fin. Services</td>
<td>1,000,000.00</td>
</tr>
<tr>
<td>Call</td>
<td>1,024,084.50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>26,929,835.66</strong></td>
</tr>
</tbody>
</table>

#### WATER FUND

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banks</td>
<td>4,000,000.00</td>
</tr>
<tr>
<td>Fund Managers</td>
<td>26,786,270.00</td>
</tr>
<tr>
<td>Local Govt. Fin. Services</td>
<td>4,000,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>34,786,270.00</strong></td>
</tr>
</tbody>
</table>

#### SEWERAGE FUND

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banks</td>
<td>2,056,000.00</td>
</tr>
<tr>
<td>Fund Managers</td>
<td>13,160,278.61</td>
</tr>
<tr>
<td>Local Govt. Inv. Service</td>
<td>12,605,831.49</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>27,822,110.10</strong></td>
</tr>
</tbody>
</table>

#### TRUST

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fund Managers</td>
<td>50,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>50,000.00</strong></td>
</tr>
</tbody>
</table>

**TOTAL INVESTMENTS** 89,588,215.76

It should be noted that the General Fund investments of $26.9 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

**STATUTORY STATEMENT - LOCAL GOVERNMENT FINANCIAL MANAGEMENT REGULATIONS (SEC 19)**

I certify that Council’s investments have been made in accordance with the Local Government Act 1993, the Financial Management Regulations and Council’s investment policies.

R R Norvill  CPA  
Responsible Accounting Officer  
Manager Financial Services
**LEGISLATION CHANGE AND INVESTMENT POLICY REVIEW:**

**Background**

Council currently has an active investment strategy that ensures the maximum return on cash reserves held. Funds are invested in a diverse range of securities including Commercial Bills, Floating Rate Notes, Term Deposits and Cash-Plus Products through professional fund managers.

Quotations are obtained from at least three financial institutions to ensure that the most competitive returns are obtained for each proposed investment.

**New Order**

A new ‘Order’ issued by the Minister for Local Government relating to investments by councils in New South Wales came into effect earlier this year. This ‘Order’ allows Council more flexibility with its investments by broadening the range of approved products and institutions which can be used.

**Diversified Funds – Capital Stable & Balanced**

As already mentioned Council has an active strategy to maximise returns on its investment portfolio. With a view to enhancing these returns in respect of the Order, Council has investigated investment options with a longer time horizon which were not previously authorised.

With its longer term reserves Council could consider investing a portion in growth assets to enhance longer term returns at a cost of shorter term volatility. An option which meets the major criteria of the required return, risk tolerance and time horizon is a diversified fund such as Capital Stable or Balanced. These funds use a blend of equities, property and fixed interest securities whose exposure is actively managed by professional fund managers.

Capital Stable funds typically have 25% of funds in growth assets (shares and property) and 75% in income producing assets (fixed interest and cash). Balanced funds are approximately allocated to opposite percentages. Since Balanced funds have a greater percentage of funds in the more volatile asset class than Capital Stable funds they require a longer term investment horizon to smooth out returns.

Although investments in these funds can be redeemed at current market valuations within 3 to 5 days a typical time horizon to be adopted for a Capital Stable fund would be 3 years and a Balanced fund 5 years.

Over the last 15 year period to June 2000 the standard deviation of Balanced Funds was 9.8% pa with an average return of 12.8% pa while Capital Stable Funds had a standard deviation of 3.9% pa with an average return of 11.0%pa. Standard deviation measures the range of returns around the average expected return.

**Summary**

Based on the above information and advice from an independent financial adviser, the Financial Services Unit believes that it would be a prudent strategy at this time to expose up to 10% of the investment portfolio to a Capital Stable fund. That is, a diversified fund with a modest exposure to growth assets aimed at enhancing long term returns.
A review of the portfolio strategy and performance assumptions should take place at least every six months, with a more formal update annually.

REVISED INVESTMENT POLICY

A revised Investment Policy to reflect the legislative changes and Minister’s Order is as follows:-

1. POLICY

1.1 Objectives

- To undertake investment of surplus funds in line with Council’s current Investment Strategy.
- To maximise earnings from authorised investments and ensure the security of Council Funds.

1.2 Authority for Investment

All investments are to be made in accordance with:-

- Local Government Act 1993 – Section 625;
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2);

1.3 Delegation of Authority

The General Manager and Manager Financial Services have authority to invest surplus funds.

1.4 Authorised Investments

All investments must be denominated in Australian Dollars. Authorised Investments would include but not necessarily be limited to:

- Local/State/Commonwealth Government Bonds, Debentures or Securities;
- Managed funds (securities) issued by a fund manager (or its ultimate parent company), who has a minimum long term credit rating of “A” (S&P Australian Ratings) or better, or Moody Investor Services equivalent.
- Deposits in prescribed securities that either have a minimum long term credit rating of “A” or short term rating of “A1” from Standard & Poors or Moody Investor Services equivalent.
- Interest bearing deposits/securities issued by a licensed bank, building society or credit union;
- Investments with NSW Treasury Corp/ Hourglass Investment Facility; and
- Deposits with the Local Government Investment Services (“LGIS”)
D1.5 Guidelines

(A) Approved Investments with Funds Managers would include:

<table>
<thead>
<tr>
<th>Fund Type</th>
<th>Minimum Recommended Investment Horizon</th>
<th>Maximum Weighting as % of Total Investment Portfolio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Funds (at call)</td>
<td>0-180 days</td>
<td>0.100</td>
</tr>
<tr>
<td>Cash Plus/Cash Enhanced Funds/or equivalent</td>
<td>3 months plus</td>
<td>0-90</td>
</tr>
<tr>
<td>Fixed Interest Funds</td>
<td>3 years plus</td>
<td>0-30</td>
</tr>
<tr>
<td>Capital Stable Funds</td>
<td>3 years plus</td>
<td>0-20</td>
</tr>
<tr>
<td>Balanced Funds</td>
<td>5 years plus</td>
<td>0-15</td>
</tr>
</tbody>
</table>

The asset structure and features of the fund are to be consistent with the time horizon, risk parameters, and liquidity requirements of Council as set out in its investment strategy.

(B) Council’s Direct Investments

QUOTATIONS ON INVESTMENTS

Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.

(C) Diversification/Credit Risk Guidelines

MANAGED FUND INVESTMENTS

The total amount invested with any one fund manager should not exceed 45% of average annual funds invested.

DIRECT INVESTMENTS

The amount invested with any one financial institution should not exceed the following percentages of average annual funds invested.

<table>
<thead>
<tr>
<th>Long Term Rating (Standard &amp; Poors)</th>
<th>Short Term Rating (Standard &amp; Poors)</th>
<th>Maximum Percentage of Total Investments</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA to AA-</td>
<td>A1+</td>
<td>45%</td>
</tr>
<tr>
<td>A+ to A-</td>
<td>A1</td>
<td>40%</td>
</tr>
<tr>
<td>BBB+ to BBB-</td>
<td>A2</td>
<td>20%</td>
</tr>
</tbody>
</table>
CREDIT RATINGS

If any of Council’s investments are downgraded such that they no longer fall within these investment policy guidelines, they will be divested as soon as is practicable.

(D) Performance Benchmarks

<table>
<thead>
<tr>
<th>Investment</th>
<th>Performance Benchmark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash/Cash Plus/direct Investments</td>
<td>11 AM and UBSWA Bank Bill Index</td>
</tr>
<tr>
<td>Fixed Interest</td>
<td>UBSWA 0-3yr and/or All Maturities Indices</td>
</tr>
<tr>
<td>Capital Stable Funds</td>
<td>CPI + 2% av. Rolling 3 yr periods</td>
</tr>
<tr>
<td>Balanced Funds</td>
<td>CPI + 3% av. Rolling 3 yr periods</td>
</tr>
</tbody>
</table>

(E) Reporting

A monthly report should be provided to Council, detailing the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio.

For audit purposes, certificates must be obtained from the banks/funds managers confirming the amounts of investment held on Council’s behalf at 30th June each year.

(F) Variation to Policy

The General Manager and Manager Financial Services be authorised to approve variations to this policy if the investment is to Council’s advantage and/or due to revised legislation.

All changes to this policy are to be reported to Council by the end of the following month.
### Reports from Director Corporate Services

#### LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATION 1993

**SCHEDULE 1 - FORMS**

**FORM 1**  
Summary of Estimates of Income and Expenditure for the Year ended 30 June 2001

Revised as at 30 September 2000

<table>
<thead>
<tr>
<th>Function</th>
<th>Original Expenditure</th>
<th>Original Income</th>
<th>Revised Expenditure</th>
<th>Revised Income</th>
<th>Original Net Cost</th>
<th>Revised Net Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>10741</td>
<td>314</td>
<td>11054</td>
<td>314</td>
<td>10,427</td>
<td>10,740</td>
</tr>
<tr>
<td>Public Order &amp; Safety</td>
<td>1387</td>
<td>683</td>
<td>1413</td>
<td>683</td>
<td>704</td>
<td>730</td>
</tr>
<tr>
<td>Health</td>
<td>709</td>
<td>65</td>
<td>713</td>
<td>65</td>
<td>644</td>
<td>648</td>
</tr>
<tr>
<td>Community Services &amp; Education</td>
<td>393</td>
<td>1286</td>
<td>419</td>
<td>1286</td>
<td>(893)</td>
<td>(867)</td>
</tr>
<tr>
<td>Housing &amp; Community Amenities</td>
<td>9720</td>
<td>9095</td>
<td>9775</td>
<td>9135</td>
<td>625</td>
<td>640</td>
</tr>
<tr>
<td>Water Supplies</td>
<td>5964</td>
<td>13693</td>
<td>6015</td>
<td>13693</td>
<td>(7,729)</td>
<td>(7678)</td>
</tr>
<tr>
<td>Sewerage Services</td>
<td>9037</td>
<td>19778</td>
<td>9037</td>
<td>19778</td>
<td>(10,741)</td>
<td>(10741)</td>
</tr>
<tr>
<td>Recreation &amp; Culture</td>
<td>5341</td>
<td>1993</td>
<td>5388</td>
<td>2009</td>
<td>3,348</td>
<td>3379</td>
</tr>
<tr>
<td>Mining, Manufacturing &amp; Construction</td>
<td>1301</td>
<td>1367</td>
<td>1306</td>
<td>1367</td>
<td>(66)</td>
<td>(61)</td>
</tr>
<tr>
<td>Transport &amp; Communication</td>
<td>14001</td>
<td>4770</td>
<td>13971</td>
<td>4820</td>
<td>9,231</td>
<td>9151</td>
</tr>
<tr>
<td>Economic Affairs</td>
<td>3230</td>
<td>4164</td>
<td>3235</td>
<td>4164</td>
<td>(934)</td>
<td>(929)</td>
</tr>
<tr>
<td>General Purpose Revenues</td>
<td>25891</td>
<td>0</td>
<td>26278</td>
<td>0</td>
<td>(25,891)</td>
<td>(26278)</td>
</tr>
</tbody>
</table>

#### Add Expenses not involving flow of funds

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depreciation</td>
<td>(16,685)</td>
<td>(16,685)</td>
<td>(37,960)</td>
<td>(37,951)</td>
</tr>
<tr>
<td>Increase in employees leave entitlements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Add non-operating funds employed

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of real estate assets sold</td>
<td>(1,532)</td>
<td>(1,532)</td>
</tr>
<tr>
<td>Loan funds used</td>
<td>(7,572)</td>
<td>(7,572)</td>
</tr>
<tr>
<td>Repayments by deferred debtors</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sub-total**

(9,104) (9,104) (47,064) (47,055)

#### Subtract funds deployed for non-operating purposes

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition of assets</td>
<td>41,273</td>
<td>41,646</td>
</tr>
<tr>
<td>Development of real estate</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Advances to deferred debtors</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Repayment of loans</td>
<td>4,701</td>
<td>4,701</td>
</tr>
<tr>
<td>Repayment of other debts</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Estimated Budget Result - Surplus**

45,974 46,347 (1,090) (708)

#### Reconciliation with Program Budget:

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add Transfers to Reserves</td>
<td>7,753</td>
<td>7,726</td>
</tr>
<tr>
<td>Add Transfers from Reserves</td>
<td>(9,601)</td>
<td>(9,956)</td>
</tr>
<tr>
<td>Subtract Interest on restricted funds not used in budget</td>
<td>2,938</td>
<td>2,938</td>
</tr>
<tr>
<td>Add/(Deduct) net increase/(decrease) in externally restricted assets (contributions)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Program Budget Deficit/(Surplus)</td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>

**Comprising:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Water Fund</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Sewerage Fund</td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>

#### Note:

Add Expenses not involving flow of funds

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase in employees leave entitlements</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Add non-operating funds employed

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of real estate assets sold</td>
<td>(1,532)</td>
<td>(1,532)</td>
</tr>
<tr>
<td>Loan funds used</td>
<td>(7,572)</td>
<td>(7,572)</td>
</tr>
<tr>
<td>Repayments by deferred debtors</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sub-total

(9,104) (9,104) (47,064) (47,055)

Subtract funds deployed for non-operating purposes

<table>
<thead>
<tr>
<th>Description</th>
<th>Original</th>
<th>Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition of assets</td>
<td>41,273</td>
<td>41,646</td>
</tr>
<tr>
<td>Development of real estate</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Advances to deferred debtors</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Repayment of loans</td>
<td>4,701</td>
<td>4,701</td>
</tr>
<tr>
<td>Repayment of other debts</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Estimated Budget Result - Surplus

45,974 46,347 (1,090) (708)
7. ORIGIN: Financial Services Unit

FILE REF: Comparative Information

REPORT TITLE:
Financial Indicators - 1998/1999 Comparative Information on NSW Councils Provided by the Department of Local Government

SUMMARY OF REPORT:
The 1998/99 Comparative Performance Information for Councils in NSW has been released by the Department of Local Government. This report outlines the key financial indicators for Tweed Shire Council compared to the State averages.

RECOMMENDATION:
That this report be received and noted.
REPORT:

BACKGROUND

The 1998/99 Comparative Performance Information for NSW has been released by the Department of Local Government. This report outlines the key financial indicators for Tweed Shire compared to State averages and enables assessment of performance in key financial areas.

The Local Government Act 1993 gives councils significant responsibility and autonomy in their operations. Fundamental to these arrangements is that local government both knows and is able to demonstrate that it is providing services effectively, efficiently and equitably in meeting the community’s needs. Performance information and indicators are an integral part of this management process.

This financial comparative performance information is published annually by the NSW Government to make local government more transparent and to strengthen accountability. A major source of the data is the audited Annual Financial Statements of councils.

MAKING COMPARISONS

“Comparative information on the performance of Local Government allows residents and ratepayers to make informed assessments of the performance of their Council

Source: Dept of Local Govt Nov 2000”

1998/99 FINANCIAL INDICATORS - NSW AVERAGE: TWEED SHIRE COUNCIL(TSC)

1. Average Rate Per Residential Property Assessment

<table>
<thead>
<tr>
<th></th>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item 1</td>
<td>Residential Rate</td>
<td>525.00</td>
</tr>
<tr>
<td>Item 7</td>
<td>Domestic Waste</td>
<td>154.00</td>
</tr>
<tr>
<td>Item 9</td>
<td>Sewerage</td>
<td>382.00</td>
</tr>
<tr>
<td>Item 11</td>
<td>Water</td>
<td>351.00</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$1412.00</td>
</tr>
</tbody>
</table>

2. Account Average Comparison (From above figures)
3. **Local Government Source of Income**

<table>
<thead>
<tr>
<th>REVENUE - SOURCES OF FUNDS</th>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates &amp; Annual Charges</td>
<td>49%</td>
<td>46.83%</td>
</tr>
<tr>
<td>User Charges &amp; Fees</td>
<td>17%</td>
<td>12.66%</td>
</tr>
<tr>
<td>Interest</td>
<td>3.00%</td>
<td>5.22%</td>
</tr>
<tr>
<td>Grants</td>
<td>16%</td>
<td>12.90%</td>
</tr>
<tr>
<td>Cash Contributions ( )</td>
<td>12%</td>
<td>21.20%</td>
</tr>
<tr>
<td>Non-Cash Contributions ( )</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Revenue</td>
<td>3%</td>
<td>1.19%</td>
</tr>
<tr>
<td></td>
<td>100.00%</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Matters that impact are income sources, level of government funding, rate of development and population growth and socio-economic characteristics of Council.

4. **Current Ratio**

The ratio is a measure of a council’s ability to meet its financial objectives. A ratio greater than 1:1 indicates that unrestricted current assets exceed current liabilities. It is an indication of a council solvency and ability to meet short term liabilities with its current assets. If the ratio is less than 1:1 a council should be taking steps to improve its financial position.

<table>
<thead>
<tr>
<th>Current Ratios</th>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1:1.94</td>
<td>1:1.48</td>
</tr>
</tbody>
</table>

This ratio is impacted by budgetary and planning control, cash management and timing of cash flows and credit management policies and economic circumstances.

*Note: The Minister for Local Government uses this financial ratio to monitor Councils throughout the State. It is a critical indicator.*

5. **Debt Service Ratio**

The ratio is an assessment of the operating revenue committed to the repayment of loan debt. Generally the ratio would be higher for councils in growth areas such as Tweed Shire where loans have been required to fund infrastructure eg roads, community buildings, bridges, water and sewerage works. The ratio is also affected by prevailing interest rates and loan terms.

<table>
<thead>
<tr>
<th>Debt Service Ratio</th>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>9%</td>
<td>13.35%</td>
</tr>
</tbody>
</table>

Sydney councils have brought down the NSW average as they do not have water and sewerage services and therefore their loan requirements are greatly reduced. The use of loan funds is considered a prudent financial strategy allowing for contribution to the asset over its life by those who use it.
Reports from Director Corporate Services

6. **Library Expenses Per Capita**

This indicator measures the gross operating expenses for library services on a per capita basis.

<table>
<thead>
<tr>
<th>NSWW</th>
<th>TSC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$24</td>
<td>$11.41</td>
<td></td>
</tr>
</tbody>
</table>


7. **Average charge for Domestic Waste Management Services Per Residential Property**

This performance indicator is the total domestic waste management charges divided by the number of residential properties receiving a service.

<table>
<thead>
<tr>
<th>NSWW</th>
<th>TSC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$154</td>
<td>$130.79</td>
<td></td>
</tr>
</tbody>
</table>

8. **Costs per Service for Domestic Waste Collection**

This indicator is the total domestic waste collection costs divided by the number of residential properties. Tweed Shire has provided for future provisions for replacements costs of waste management.

<table>
<thead>
<tr>
<th>NSWW</th>
<th>TSC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$92</td>
<td>$90.19</td>
<td></td>
</tr>
</tbody>
</table>

9. **Sewerage Average Account ($ per connection)**

This indicator includes all revenue from sewerage rates and charges.

<table>
<thead>
<tr>
<th>NSWW</th>
<th>TSC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$382</td>
<td>$421.91</td>
<td></td>
</tr>
</tbody>
</table>

10. **Sewerage Operating Costs ($Per Connection)**

Operating costs includes management expenses, operational work and maintenance expenses.

<table>
<thead>
<tr>
<th>NSWW</th>
<th>TSC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$216</td>
<td>$205.70</td>
<td></td>
</tr>
</tbody>
</table>

11. **Water Average Account ($ per connection)**

This indicator includes revenue from water rates, excess water sales and user charges.

<table>
<thead>
<tr>
<th>NSWW</th>
<th>TSC</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$351</td>
<td>$269.60</td>
<td></td>
</tr>
</tbody>
</table>
12. **Water Operating Cost ($ per connection)**

<table>
<thead>
<tr>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>$218</td>
<td>$172.43</td>
</tr>
</tbody>
</table>

Operating costs includes management expenses, operational work and maintenance expenses.

13. **Number of Staff per 1000 Capita for Councils that have General, Water and Sewerage Funds**

<table>
<thead>
<tr>
<th>COUNCIL</th>
<th>Staff/1000 Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>BALLINA</td>
<td>5.78</td>
</tr>
<tr>
<td>NAMBUCCA</td>
<td>5.79</td>
</tr>
<tr>
<td>YARROWLUMLA</td>
<td>5.93</td>
</tr>
<tr>
<td>MUSWELLBROOK</td>
<td>5.95</td>
</tr>
<tr>
<td>GOSFORD</td>
<td>6.00</td>
</tr>
<tr>
<td>HASTINGS</td>
<td>6.24</td>
</tr>
<tr>
<td>COFFS HARBOUR</td>
<td>6.27</td>
</tr>
<tr>
<td>WINGECARRIBEE</td>
<td>6.48</td>
</tr>
<tr>
<td><strong>TWEED</strong></td>
<td><strong>6.52</strong></td>
</tr>
<tr>
<td>ULMARRA</td>
<td>6.62</td>
</tr>
<tr>
<td>LISMORE</td>
<td>6.71</td>
</tr>
<tr>
<td>BYRON</td>
<td>6.72</td>
</tr>
<tr>
<td>PARRY</td>
<td>7.10</td>
</tr>
<tr>
<td>DUBBO</td>
<td>7.29</td>
</tr>
<tr>
<td>HUME</td>
<td>7.31</td>
</tr>
<tr>
<td>DUNGOG</td>
<td>7.33</td>
</tr>
<tr>
<td>CASINO</td>
<td>7.75</td>
</tr>
<tr>
<td>LEETON</td>
<td>7.76</td>
</tr>
<tr>
<td>ORANGE</td>
<td>7.81</td>
</tr>
<tr>
<td>NYMOBOIDA</td>
<td>7.83</td>
</tr>
<tr>
<td>LITHGOW</td>
<td>7.96</td>
</tr>
<tr>
<td>ARMIDALE</td>
<td>7.96</td>
</tr>
<tr>
<td>BELLINGEN</td>
<td>7.97</td>
</tr>
<tr>
<td>DENILIQUIN</td>
<td>8.10</td>
</tr>
<tr>
<td>SHOALHAVEN</td>
<td>8.12</td>
</tr>
<tr>
<td>BEGA VALLEY</td>
<td>8.17</td>
</tr>
<tr>
<td>GRIFFITH</td>
<td>8.26</td>
</tr>
<tr>
<td>GRAFTON</td>
<td>8.34</td>
</tr>
<tr>
<td>SINGLETON</td>
<td>8.47</td>
</tr>
<tr>
<td>GOULBURN</td>
<td>8.59</td>
</tr>
<tr>
<td>COROWA</td>
<td>8.79</td>
</tr>
<tr>
<td>ALBURY</td>
<td>8.96</td>
</tr>
<tr>
<td>YOUNG</td>
<td>9.00</td>
</tr>
<tr>
<td>TUMUT</td>
<td>9.00</td>
</tr>
<tr>
<td>KEMPSEY</td>
<td>9.14</td>
</tr>
<tr>
<td>FORBES</td>
<td>9.32</td>
</tr>
<tr>
<td>SCONC</td>
<td>9.34</td>
</tr>
<tr>
<td><strong>Average</strong></td>
<td><strong>11.2</strong></td>
</tr>
</tbody>
</table>

14. **Population Growth/5 Year Average**
Reports from Director Corporate Services

Tweed’s Shire’s population growth of 4.2% (5 year average to 1997) is the third highest in NSW out of the 177 Councils.

15. Community Services Expenses Per Capita

<table>
<thead>
<tr>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>$36</td>
<td>$5.35</td>
</tr>
</tbody>
</table>

Factors affecting this indicator include level of government funding available, number of community staff, population mix (age, ethnicity), socio-economic elements and Council Policy.

16. Legal Expenses (Planning & Building Control) to Total Planning & Regulatory Building Costs

<table>
<thead>
<tr>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>9%</td>
<td>11.67%</td>
</tr>
</tbody>
</table>

Factors affecting this percentage include nature and complexity of building and development, legislation complexity, as well as Council policies.

17. Environmental Management and Health Services Per Capita

<table>
<thead>
<tr>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>$16</td>
<td>$19.92</td>
</tr>
</tbody>
</table>

Factors affecting this indicator include population growth, land usage, extent to which State Legislation applies and Council Policy. The objective is to measure the expenses of environment management and health services per head of population.

18. Net Recreation and Leisure Expenses Per Capita

<table>
<thead>
<tr>
<th>NSW</th>
<th>TSC</th>
</tr>
</thead>
<tbody>
<tr>
<td>$47</td>
<td>$46.84</td>
</tr>
</tbody>
</table>

Expenses relating to this indicator includes recreational, swimming pools operations, sporting grounds and parks and recreational.

Department of Local Government Monitoring

The Department of Local Government have been recently monitoring the financial state of Councils throughout the State. The Minister has been very critical of some authorities that have not been providing cash reserves for infrastructure replacement and leave entitlements as well as the level of liquidity because of deficit budgeting.
GENERAL COMMENTS

Tweed Shire Council has for many years made extensive use of these and other performance information and indicators to support and improve its management practices.
Reports from Director Corporate Services
8. ORIGIN: Director

FILE REF: TEDC

REPORT TITLE:


SUMMARY OF REPORT:

The Tweed Economic Development Corporation, Chief Executive Officer's monthly performance report for November 2000 is detailed in the report.

RECOMMENDATION:

That this report be received and noted.
In accordance with the terms of the agreement between Tweed Shire Council and Tweed Economic Development Corporation, following is the Chief Executive Officer’s report on the activities of the Tweed Economic Development Corporation for the period November 2000.

Chief Executive Officer’s Monthly Performance Report:

1. **Tweed Agricultural Land Viability and Sustainability Study**: Application under the Regional Solutions Program was successful. Now awaiting terms of agreement before finalising fine-tuning of the project brief. On 5 December 2000 meeting with eminent professor, retired but consults to several universities, including Queensland University and Southern Cross University and who has an international recognition. The meeting follows discussions on the Agricultural Viability Study and there is the possibility of involving the Professor in preparing the final brief.

2. Coffs Harbour economic development organisation are also seeking funding to carry out a similar study.

3. On Friday 24 November, I travelled to Toowoomba to attend the Agricultural Viability and Sustainability seminar. The topics in the main were relevant although it was more about identifying problems in the agricultural industries rather than offering solutions. No one has carried out a study similar to TEDC and most people spoken to on the day will watch with interest the outcome of the Tweed Shire Agricultural Land Viability and Sustainability Study.

4. **Update on Tweed River Link** The TEDC is still waiting on word of the state of our funding under the Regional Tourism Program for Stage One of the Tweed River Link project. We are expecting advice mid-December indicating whether our application will proceed to the final stage. We have applied for $130,000 with a cash and in kind contribution of $310,000. So we are well placed and reasonably optimistic of a positive result. The project is gaining interest and momentum daily. TEDC has also submitted an application for Stage Two of the project under the Regional Solutions Program.

5. **The Coolangatta Airport Enterprise Park Feasibility Study** final report should be available next week. The proposed changes to the Tugun Bypass will impact dramatically on the Crown Land and three privately owned parcels. The new route is further south than previously indicated (due to environmental reasons).

6. **Industrial land at Murwillumbah.** A meeting is proposed this week between Tweed Shire Council and Dickinson’s to address cost of infrastructure, etc. A meeting was scheduled last week but was cancelled, as Tweed Shire Council Engineers had not completed costings.

7. **Tweed Marketing Group.** I have now received several very positive responses to our brief forwarded out to those who attended the initial meeting.

8. **Town Centres Programme**

The Town Centres Committee meeting scheduled for Tuesday 5 December 2000 was postponed due to lack of a quorum.
Reports from Director Corporate Services

The Committee were to consider the resignation of the Town Centre Program Manager on personal grounds. Patricia Jacobson has done an excellent job in her short term as Program Manager, taking over at a time when the Program had suffered a financial debacle and with the community having lost confidence and trust in the Program. Mrs Jacobson has worked hard at rebuilding that trust and confidence and has done a marvellous job as is witnessed by the high esteem in which the community holds her.

The Tweed Town Centres Committee has rescheduled its meeting to 15 January 2001 and at that meeting they will discuss a replacement.

The TEDC/Tweed Town Centre amalgamation is working effectively, efficiently and in harmony.

TEDC has provided the Town Centres Programme with:

- A new computer, complete with colour printer (it was thought essential for the Town Centres Program to acquire a new computer as the existing Town Centres’ computer was an old Council 486 machine that was barely capable of running Windows);
- Office space;
- Office equipment;
- Access to telephone, fax and photocopying equipment (noting that the Town Centres Program has achieved considerable cost savings in regard to telephone and fax expenses through using TEDC facilities);
- The financial management of the Program, spending a considerable time sorting out the mess that TEDC inherited on taking over the Program; and
- Clerical backup at times when the Program Manager has been out and about doing her job.

The TEDC has provided the type of back up service that the previous Program Manager had requested and sought funds for. This clerical backup is one of the many benefits of amalgamation, but there is still a cost.

TEDC has reviewed the budget for the Program in consultation with Mrs Jacobson and again there are a number of issues that need to be considered by the Town Centres Committee. The budget suggests that of the total funds available up to 30 June 2001, presuming the ongoing employment of a single, full-time Co-ordinator (as at present), and allowing for all employment on-costs, payments to TEDC and a small amount for stationery and running costs, then the balance remaining will be in the vicinity of $15,500. This does not take into account the $30,000 available from DSRD.

On the attached Cost Allocation – Monthly Charge to Town Centres Program schedule, you will see where the actual and projected monthly costs total $920 per month, based on the past 5 months experience. Initially TEDC budgeted a cost of $750 per month and in view of the financial circumstances of the Program at this time, TEDC is prepared to accept the initial budget figure of $750 per month.
Discussions should be held with Trevor Wilson, Client Manager, DSRD in terms of the balance of funds available (approx. $15,500) and the criteria covering access to the $30,000.

The Committee needs to consider the finances available, both current and potential, so as to enable Patti and her successor to determine a management plan to budget.

Prepared by Ron Ford, Madura Tea, and TEDC Treasurer

COST ALLOCATION – TEDC LTD

MONTHLY CHARGE TO THE TOWN CENTRES PROGRAMME

<table>
<thead>
<tr>
<th></th>
<th>Annual Cost $</th>
<th>Monthly Cost $</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Labour</td>
<td>9,568</td>
<td>797</td>
</tr>
<tr>
<td>Management &amp; administration including reception, accounts, payroll, general clerical</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Rent</td>
<td>420</td>
<td>35</td>
</tr>
<tr>
<td>Rent and electricity at 5% of annual cost</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. PI Insurance</td>
<td>1051</td>
<td>88</td>
</tr>
<tr>
<td>Professional Indemnity insurance to be allocated at 30% TCP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$11,039</td>
<td>$920</td>
</tr>
</tbody>
</table>

NOTES:

1. There are other costs that will be incurred by the legal entity of TEDC Ltd but the above are the major items.

2. In the approved 2000/2001 budgets of both TEDC Ltd and TCP, a monthly allocation of $750 has been allowed.

SUMMARY OF TOWN CENTRES PROGRAM FINANCIAL STATUS

AS AT 4 DECEMBER 2000 TO 30 JUNE 2001

<table>
<thead>
<tr>
<th></th>
<th>Expenditure $</th>
<th>Income $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash at Bank @ 4/12/00 less Kingscliff marketing money ($10,317)</td>
<td>30,453</td>
<td></td>
</tr>
<tr>
<td>TSC funds to be received prior to 30 June 2000 (including GST of $2,500)</td>
<td></td>
<td>27,500</td>
</tr>
</tbody>
</table>

Note: Year 2 of DSRD funding of $30,000 due on 14 June 2001
Reports from Director Corporate Services

Programme Manager:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary from 4/12/00 to 30/6/01 (30 weeks)</td>
<td>21,882</td>
</tr>
<tr>
<td>Superannuation owing from 1/10/00 to 30/6/01</td>
<td>2,287</td>
</tr>
<tr>
<td>Leave loading from 3/7/00 to 30/6/01 (included in salary)</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>24,169</td>
</tr>
<tr>
<td>Cheques outstanding @ 4/12/00</td>
<td>0</td>
</tr>
<tr>
<td>Estimated bank fees and charges to 11/11/00 to 30/6/00</td>
<td>106</td>
</tr>
<tr>
<td>Stationery and petty cash from 31/10/00 to 30/6/01</td>
<td>500</td>
</tr>
<tr>
<td>Reimbursement of TEDC-paid Withholding/BAS tax commitments from 1/10/00 to 30/6/01 (approximation based on 1st quarter amount of $2,923.43)</td>
<td>8,770</td>
</tr>
<tr>
<td>TEDC admin., etc. expenses from 3/7/00 to 30/06/01 @ $750/mth</td>
<td>9,000</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$42,545</td>
</tr>
<tr>
<td></td>
<td>$57,953</td>
</tr>
</tbody>
</table>

Note: Of the $40,000 DSRD funding received on 14 June 2000 and held by TSC until 8 September 2000, $23,452.10 was paid to Town Centres Program (TCP), with $16,547.90 used by Council to pay TCP accounts outstanding from prior to 30 June 2000.

Note: TCP has since paid further outstanding pre-June invoices for the Art, Food & All That Jazz Festival and TCP totalling $1,801.09 – with $1,522.00 being reimbursed from the AF&ATJ Festival Commonwealth Bank account.

Still outstanding is an invoice from Telstra for $761.50 and dating back to August 1999 and the phone (fax?) line at the Main Streets office in South Tweed Heads.

KINGSCLIFF MARKETING MONEY

$20,000 DSRD funds received from Tweed Shire Council on 13 October 2000.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funds expended</td>
<td>$ 9,682.96</td>
</tr>
<tr>
<td>Funds remaining</td>
<td>$10,317.04</td>
</tr>
</tbody>
</table>
Note: It may be necessary to reimburse the Town Centres Program for the employment of Chris Lambeth and Patricia Jacobson prior to 30 June 2000 out of the Kingscliff marketing funding.

9. The Tweed is to be involved in a study to assess tourism development potential in the Tweed. The approach came via our connections with the School of Tourism and Leisure Management, University of Queensland who was approached by La Trobe University. The Tweed is to be one of only two local government regions in Australia to be studied. The study is totally funded and will be conducted by the CRC for Sustainable Tourism. The study will commence in February 2001 and will be compiled by May 2001 and obviously TEDC will receive the results of the study. The study will prove invaluable to the Tweed and we are indeed fortunate to have been given this opportunity.

There is no monetary cost to TEDC, although I have agreed to the study and also agreed to introduce key stakeholders, facilitate a community consultation process and provide office facilities for consultants on the occasions they are in the Tweed.

10. A Victorian company have now established a small manufacturing depot in Murwillumbah to service their contract with the Abigroup. They manufacture pre-cast concrete sumps, drains, culverts, etc. and will employ up to 4 local people initially.

11. Received several calls and a letter from various individual farmers expressing views on Tweed’s rural industries.

12. I have held a meeting with Winning Directions, who is engaged to market both Casuarina Beach and Chinderah Bay Marina. They are very keen to assist the proposed TEDC Marketing Group.

13. Was invited to be part of the panel for a taped debate “Knowledge Works” hosted by ABC’s James O’Brien at Southern Cross University and organised by the Northern Development Task Force.
Reports from Director Engineering Services

9. ORIGIN: Planning & Design Unit

FILE REF: GR3/12/5

REPORT TITLE:

Proposed Road Closure and Purchase - Nobbys Creek Road Adjacent to Lot 1 DP 861505

SUMMARY OF REPORT:

The owners of Lot 1 DP 861505 situated at Nobbys Creek Road, Nobbys Creek have lodged an application to close and purchase public road now considered unnecessary following the realignment of that road. The closure and purchase will facilitate conditions of approval to a development application for house extensions.

RECOMMENDATION:

That:-

1. Council approves the closure and purchase of an unnecessary public road adjacent to Lot 1 DP 861505,

2. The applicants bear all legal and survey costs and purchase the subject land at the value assessed by the State Valuation Office,

3. Easements are created where necessary over any existing public authority services,

4. The subject and adjacent lands be consolidated into one title, and

5. All necessary documentation be executed under the Common Seal of Council.
REPORT:

An application has been received from J M & S L Lockley, the owners of Lot 1 DP 861505 situated at Nobbys Creek Road, Nobbys Creek, to close and purchase unnecessary public road adjacent to their property.

As can be seen on the diagram attached the subject area shown by hatching is now considered unnecessary following the realignment of Nobbys Creek Road to the west.

The applicants have lodged a development application for approval to extensions to their house which already stands partly on the road reserve.
Reports from Director Engineering Services
Reports from Director Engineering Services

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10. ORIGIN: Director

FILE REF: Sewer management – General, Water Management - General

REPORT TITLE:

Water Supply and Sewerage Performance Reporting

SUMMARY OF REPORT:

As part of the National Water Reform Agenda, performance monitoring and reporting has been established for water supply and sewerage operators.

The national reporting covers major urban utilities and the 67 non-major urban utilities (between 10,000 and 50,000 assessments). Tweed Shire Council is a non-major urban authority.

A reporting format specific to Tweed Shire Council has been developed from these reports, highlighting Tweed’s performance against the majors, NSW non-majors and interstate non-majors.

It is proposed to align future Council reporting with the national reporting.

Overall, Tweed’s performance is considered to be quite good, with exceptional results in:

- Treatment Compliance (tables 3, 13 and 14)
- Debt to Equity (table 20)
- Average Residential Water Bill (table 21)

RECOMMENDATION:

That:-

1. This report be received and noted.

2. Residents be advised through the Tweed Link that copies of the report are available for perusal at the Tweed and Murwillumbah Civic Centres.
REPORT:

In 1994 a National Water Reform Agenda was initiated by COAG. One of the COAG water reforms relates to “performance monitoring and best practice – water services”. As part of these reforms the following arrangements were to be put in place:-

- Major urban water utilities to participate in a national system of inter-agency performance comparison and benchmarking;
- Extension of interagency performance comparison and benchmarking to other water utilities; and
- Relevant jurisdictions to support the collection of the necessary information.

The major urban water utilities have been reporting nationally for some time. There are 21 major urban utilities (Sydney Water, Gold Coast City Council, Melbourne Water etc) servicing some 12.8 million people.

A non major urban water utility is defined as having between 10,000 and 50,000 assessments. There are 67 such utilities in Australia, of which Tweed Shire Council is one (Council has 26,575 assessments). These utilities are mainly retail suppliers but do include some wholesale operators. Together they serve just under 3 million people or nearly 6% of the Australian population. The second non major urban water utilities performance monitoring report for the 1998/1999 financial years has been released. It provides information for anyone with an interest in the performance of these utilities – management, customers, regulators and peers. The National Competition Council has indicated support for these reports and refers to them when reporting on compliance with competition policy.

The report outlines the policy and regulatory framework in which the water utilities operate and includes major sections for both water supply and wastewater services on:-

- Customer & utility profiles (providing a sound contextual reference for comparing performance in the following sections)
- Pricing & revenue
- Energy (for water) and environment (for wastewater)
- Levels of service
- Operating costs
- Whole of business (water supply and wastewater services) performance summary.

In the development of the 2001/2002 Tweed Shire Council Management Plan it is proposed to restructure the water supply and sewerage reporting components into a format consistent with the national reporting. Subsequent quarterly reports to Council would also focus on Tweed’s performance in relation to national performance, as appropriate.
The two national performance reports (for the majors and non majors) have been combined into a Tweed Shire Council Performance Monitoring Report. This report has been structured in a way that Council’s own performance in each of 22 key areas can be easily measured against:-

1. The average performance of the major utilities.
2. The individual performance of other NSW non major utilities.
3. Interstate non major utilities.

The 22 reporting outputs are detailed below (including comparison of Tweed’s performance against the average performance of the major utilities).

<table>
<thead>
<tr>
<th>INDEX</th>
<th>1998/1999</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Average Residential Consumption (kl/property)</td>
<td>Tweed: 220, Major Utilities: 260</td>
</tr>
<tr>
<td>2. Unaccounted for Water</td>
<td>Tweed: 20%, Major Utilities: 17%</td>
</tr>
<tr>
<td>3. Level of Treatment</td>
<td>Tweed: Filtered, Major Utilities: No average</td>
</tr>
<tr>
<td>4. Economic Real Rate of Return</td>
<td>Tweed: 2.5%, Major Utilities: -4%</td>
</tr>
<tr>
<td>5. Water Quality Complaints (per 1,000 properties)</td>
<td>Tweed: 2.5, Major Utilities: 14</td>
</tr>
<tr>
<td>6. Water Customer Interruption Frequency (per 1,000 properties)</td>
<td>Tweed: 60, Major Utilities: 130</td>
</tr>
<tr>
<td>7. Water Average Customer Outage Time/Property (Minutes)</td>
<td>Tweed: 9, Major Utilities: 32</td>
</tr>
<tr>
<td>8. Water – Number of Breaks (per 100km Main)</td>
<td>Tweed: 2, Major Utilities: 36</td>
</tr>
<tr>
<td>11. Wastewater Treatment Levels</td>
<td></td>
</tr>
<tr>
<td>12. Wastewater Economic Real Rate of Return (%)</td>
<td>Tweed: 3.8%, Major Utilities: 5.3%</td>
</tr>
<tr>
<td>13. BOD Compliance</td>
<td>Tweed: 100%, Major Utilities: No average</td>
</tr>
<tr>
<td>14. SS Compliance</td>
<td>Tweed: 100%, Major Utilities: No average</td>
</tr>
<tr>
<td>15. Effluent Re-Use</td>
<td>Tweed: 3%, Major Utilities: 6%</td>
</tr>
<tr>
<td>16. Wastewater Average Customer Outage Time (Minutes per Property)</td>
<td>Tweed: 19, Major Utilities: 1</td>
</tr>
<tr>
<td>17. Confirmed Sewer Chokes (per 100km of Main)</td>
<td>Tweed: 5, Major Utilities: 50</td>
</tr>
</tbody>
</table>
Reports from Director Engineering Services

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>2000</th>
<th>2001</th>
</tr>
</thead>
<tbody>
<tr>
<td>18</td>
<td>Sewage Overflows (per 100km Main)</td>
<td>3</td>
<td>34</td>
</tr>
<tr>
<td>19</td>
<td>Wastewater Operating Cost ($/Property)</td>
<td>210</td>
<td>160</td>
</tr>
<tr>
<td>20</td>
<td>Business Performance – Debt to Equity</td>
<td>.05</td>
<td>Not reported</td>
</tr>
<tr>
<td>21</td>
<td>Average Bill for Residential Customers ($) (Water)</td>
<td>240</td>
<td>395</td>
</tr>
<tr>
<td>22</td>
<td>Average Bill for Residential Customers ($/Property) (Sewerage)</td>
<td>370</td>
<td>450</td>
</tr>
</tbody>
</table>

Councillors have been provided with a coloured attachment to this business paper.
11. ORIGIN: Planning & Design Unit

FILE REF: PF0730/800

REPORT TITLE:

Tyalgum Water Supply Reservoir Site

SUMMARY OF REPORT:

Council may recall a resolution passed at a meeting held on the 18 October 2000 that the site of the Tyalgum Reservoir be compulsorily acquired under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.

The Department of Local Government, being the consent authority for the acquisition, has requested that a resolution be passed to include the acquisition of easements associated with the site.

RECOMMENDATION:

That :-

1. Council requests the Minister’s approval to the issuing of a Compulsory Acquisition Notice to acquire:-
   - Lot 1 in DP 1019241 and
   - associated easements being a Right of Carriageway 10 wide and an Easement for Pipeline 3 wide

   under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act 1993, and

2. All necessary documentation be executed under the Common Seal of Council.
Council may recall a resolution passed at a meeting held on the 18 October 2000 that the site of the Tyalgum Reservoir be compulsorily acquired under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.

The Department of Local Government, being the consent authority for the acquisition, have requested that a resolution be passed to include the acquisition of easements associated with the site.
12. ORIGIN: Director

FILE REF: Plantation Transport Infrastructure Committee

REPORT TITLE:
Regional Plantation Transport Infrastructure Committee

SUMMARY OF REPORT:
A letter has been received from the Regional Manager, NSW Department of State and Regional Development relating to the establishment of Regional Transport Infrastructure Committees.

RECOMMENDATION:

That :-

1. Council be represented on the Regional Plantation Transport Infrastructure Committee.

2. Council’s interim delegate on the Regional Plantation Transport Infrastructure Committee be the Director Engineering Services.
REPORT:

The following letter has been received from the Regional Manager, NSW Department of State and Regional Development and relates to the establishment of Regional Transport Infrastructure Committees and is self explanatory.
Dear Dr Griffin

RE: REGIONAL PLANTATION TRANSPORT INFRASTRUCTURE COMMITTEE

I am writing to inform you of the establishment and operations of a “Regional Plantation Transport Infrastructure Committee” for the Upper North Coast, which will include coverage of Tweed Shire Council Local Government Area, and to seek a nominee from your Council for this Committee.

The Committee is an outcome of the “Plantations and Reafforestation Act, 1999”. The Code and Regulations for this Act will now go on display next week for public comment and this should enable the Act to come into effect early next year.

The clear intention of the Act is to promote and facilitate investment in plantation development. The task of the Regional Transport Infrastructure Committees will be to address roads, transport, infrastructure and contribution issues in relation to Local Government, to ensure that infrastructure is in place for any expected increase in plantation development.

Part 5 of the Act makes provision for developers of new timber plantations to make financial contributions towards expenditure on the provision, upgrading and maintenance of roads and bridges that will enable timber harvested from authorised timber plantations to be efficiently transported (Section 39).

It will be the responsibility of Regional Transport Infrastructure Committees to develop contribution plans and set and collect financial contributions, and arrange for the disbursement of funds collected (Section 40 & 41).

Contribution plans provide a means of planning the provision of transport infrastructure for the growing plantation industry. They will identify what transport infrastructure is likely to be required to support the industry and provide a means of developing strategies for the provision of those identified needs. By providing a clear and reasonable process aimed at ensuring that plantations will have access to an adequate road system for the haulage of timber, they will help facilitate the development of new timber plantations in the regions.
The plans will also detail the financial contributions that may be required from developers of new or replanted timber plantations (including State Government agencies such as State Forests NSW) towards the improvement and maintenance of roads and bridges that will be used to transport logs or wood products from mobile processing plants (Section 42(1)). Contribution plans will primarily focus on, but not necessarily be confined to, regional and local roads.

I have enclosed, for your information, a copy of the "Interim Guidelines" for the functioning of such Committees.

I am taking steps to simplify the overall structure and operation of these Committees, but it would appear important to have them established quickly, to follow through on the implementation of the Act early in the new year.

I have therefore attached a "fax-back" form for your attention, and I would appreciate if you could indicate the intention of Tweed Shire Council and a possible interim delegate, as quickly as possible.

Should you have any queries, or wish to discuss the issue, you could contact me on 6642 6511.

Yours sincerely

Frank Hay
Regional Manager
Northern Regions
Reports from Director Engineering Services

Role and Structure of Regional Committees

Section 40 of the Act describes the role and structure of the regional committees. The Minister for Regional Development establishes regional committees.

The Structure of Regional Committees

A regional committee will comprise representatives of local government, Roads and Traffic Authority (RTA), plantation developers and other stakeholders in the region (Section 40(5)); Section 5 provides more detail.

The Role of Regional Committees

The role of regional committees is essentially one of planning; individual Councils will generally implement the plans prepared by committees.

The primary function of a regional committee is to prepare a contribution plan that applies to the authorisation of timber plantations in the region (Section 41(1)).

Regional Committees will be in a position to act as a focus for timber haulage issues well before contributions are expected to flow. Functions of the regional committees may include:-

- 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

This report recommends that the Director Engineering Services be Council’s interim delegate on the Regional Plantation Transport Infrastructure Committee.
13. ORIGIN: Water Unit

FILE REF: Dredging - Cudgen Creek

REPORT TITLE:

Cudgen Creek Dredging in Vicinity of Boat Ramp

SUMMARY OF REPORT:

The proposal to excavate a basin at the base of the boat ramp at Kingscliff would allow boats to be launched at all tide levels while the basin remains. It is unlikely that a land based excavator will be able to construct a basin or channel all the way to the existing channel. It needs to be recognised that the sand in the estuary is very mobile and past experience using both excavators and a mobile suction dredge has shown that any excavation is likely to rapidly infill with sand. To maintain the basin will require regular sand removal that is likely to amount to a large quantity per year.

RECOMMENDATION:

That Council directs boat users to the Tweed River when the natural conditions for boating are unsuitable at Kingscliff.
REPORT:

Council resolved at its last meeting to have a report prepared on the feasibility and cost of clearing the sand bar that has formed at the base of the Kingscliff boat ramp into Cudgen Creek using a land based excavator. The ramp and creek has been inspected at low tide which has confirmed that the creek is severely silted with sand that has been conveyed into the estuary from the Ocean. At low tide there is currently a small channel adjacent to the southern bank of the creek opposite the boat ramp and approximately 30 – 40m from the end of the ramp.

The proposal to excavate a basin at the base of the ramp would allow boats to be launched at all tide levels while the basin remains. It is unlikely that a land base excavator will be able to construct a basin or channel all the way to the existing channel. It needs to be recognised that the sand in the estuary is very mobile and past experience using both excavators and a mobile suction dredge has shown that any excavation is likely to rapidly infill with sand. To maintain the basin will require regular sand removal that is likely to amount to a large quantity per year.

- Basin proposed at toe of ramp: nominally 20m x 10m x 1.5m
- Excavation: long boom Excavator
- Sand: Truck to beach adjacent
- Est. daily cost: $2,500 + $1,000 for transport each time the excavator is transported to site

The basin should be excavated in one day but is likely to infill in 1 – 2 tide cycles. Continued excavation for 3 – 4 days may give the basin a life of anything form 1 week to 3 months, depending on storms and weather conditions that influence the sand infeed into Cudgen Creek and movement within the estuary.

Dredging using a small floating suction dredge with a booster pump to pump the sand to the back of the beach may be a viable alternative with less impact on the local amenity.

We have been advised that any excavation, whether by excavator or dredge comes under SEPP35 – maintenance dredging of tidal waterways and will require a Part V assessment under the E. P & A Act. SEPP 35 requires council to consult with:-

- Department of Land & Water Conservation
- Department of Public Works
- NSW Fisheries
- Department of Mineral Resources
- NSW Waterways Authority
- Environment Protection Authority
- National Parks and Wildlife Service
- Heritage Council
Reports from Director Engineering Services

- Commonwealth Environment Protection Agency

Council must consider any matters concerning the maintenance dredging that have been raised by those bodies and advised to Council within 28 days after the giving of the notice.

Issues raised would need to be addressed in the Part V assessment.

It is therefore estimated that approval to excavate is likely to take 2 – 3 months.

If the sand was to be removed and used elsewhere other than being placed on the adjacent beach, the work would be deemed to be an extractive industry and require the preparation of an EIS.

If the basin is to be maintained then annual costs are likely to range from $20,000 to $100,000 or more per year, depending upon the level of service provided and the sand movement.

It is unlikely that any significant subsidy will be available.

With the proximity of the Fingal boat ramp and facilities and the Sand Bypass it is felt that boat users seeking access to the Ocean should be directed to the Tweed River when natural conditions are unsuitable at Kingscliff, rather than commit to ongoing maintenance in Cudgen Creek.
Reports from Director Environment & Community Services

14. ORIGIN: Recreation Services Unit

FILE REF: Dune Care Committee, Foreshore Protection

REPORT TITLE:

Options to Deal with Destruction of Dunal Vegetation

SUMMARY OF REPORT:

Following repeated instances of the destruction of dunal vegetation, generally for the purposes of either providing a view or acquiring public land for private purposes, the Dune Care Advisory Committee recommended that Council receive a report on options that may be available to address the issue.

Council subsequently resolved:

... that seeks a report to Council on the issue of options available to deal with destruction of dunal vegetation.

RECOMMENDATION:

That Council undertakes to implement a program to address instances of destruction of vegetation, the program to include:

1. Community Education:

   The community education may take the form of:

   a) Articles in the Tweed Link

   b) Information to residents of coastal villages including cadastral maps of the area showing the status and boundaries of public land, the legislation under which it operates and penalties for infringements etc.

2. Community Vigilance:

   The community be encouraged to report instances of vegetation removal/destruction and attain evidence if possible
3. Prosecution:

Council undertakes to pursue prosecution where feasible.

4. Signs

Council undertakes to erect a sign similar to those employed by North Sydney Council and Caloundra City Council at the site of vandalism at Kingscliff.

Further signage may be considered in the future if proven successful or circumstances justify.

The proposed sign to measure 3m x 2m and read as per figure 1 of this report.
REPORT:

At its meeting held 4 October 2000, Council considered a recommendation from the Dune Care Advisory Committee resulting in the following resolution:

_That Council seeks a report to Council on the issue of options available to deal with destruction of dunal vegetation._

This recommendation came as a result of repeated destruction of dunal vegetation to provide views or utilise public land for private purposes.

Whilst this has been an on going issue, particularly where residents abut Crown or Council land, the issue was highlighted with the repeated destruction of vegetation at a site on the Kingscliff foreshore, approximately 100m south of the North Kingscliff Caravan Park (attached photos).

In this instance approximately 30 trees, some up to 15 metres high were killed. This raises several issues.

The methodology often used to kill trees can create safety hazards in public areas. The trees in this instance were cut through all but a few centimetres, leaving the tree to fall at any stage through wind or any other forces. Another method is to poison the trees which, once again leaves the trees with dead and dying limbs that fall and the tree itself in the situation to fall at any point in time.

The vegetation is obviously serving a vital role in the dunal system such as providing wind breaks, facilitating the accrual of sand in the dunal system, providing protection from coastal erosion processes and providing habitat.

The Tweed Shire Dune Care groups have volunteered countless hours over many years to rehabilitate the dunal system. For example, Pottsville Dune Care alone have volunteered 15,000 hours of labour, planted 12,000 trees, cleared 60 ha of bitou bush and erected 2500 metres of fencing.

This issue is not restricted to Tweed Shire, and other Councils have chosen to take action (attached clippings).

- Mosman City Council in Sydney faced an issue of several trees being ‘poisoned and mutilated’ for views. Mosman Council resolved to leave the dead trees in place and cover them with a shroud, therefore spoiling the view they intended to create.

- North Sydney Council and Caloundra City Council experience instances of poisoning and ringbarking to provide views. Both these Councils resolved to erect banners to fill the space where the trees were killed. The banners stay in place until replanted vegetation is established.

The North Sydney Council banner reads “These trees have been wilfully destroyed by selfish
“vandals”. Caloundra City Councils banner reads “This tree has been poisoned in an act of vandalism to improve somebody’s view”.

Possible avenues that may be available to Council were discussed at length over two meetings by the Dune Care Advisory Committee.

It is concluded that a combination of actions may best achieve desired outcomes within resources available.

1. Community Education:

Whilst it is conceded that those that perform these acts of vandalism are generally not doing it out of ignorance and education programs may not change their actions, community education increases the community awareness of the issues. This may serve to limit potential issues and simplify management of the problem.

The community education may take the form of:

a) Articles in the Tweed Link

b) Information to residents of Coastal villages including cadastral maps of the area showing the status and boundaries of public land, the legislation under which it operates and penalties for infringements etc.

2. Community vigilance

The community be encouraged to report instances of vegetation removal/destruction and attain evidence if possible

3. Prosecution

Council undertakes to pursue prosecution where feasible.

4. Signs

Council undertake to erect a sign similar to those employed by North Sydney Council and Caloundra City Council at the site of vandalism at Kingscliff.

This will provide evidence of a willingness to take action and highlight the issue. This site is a relatively high profile site whilst imposing minimal impact on amenity. The sign to stay in place until such time as replanted vegetation is established.

The proposed sign to measure 3mx2m and read as per figure 1.
Tweed Shire Council

These trees have been willfully destroyed by selfish vandals.

If you have information regarding this matter or other acts of vandalism please contact Tweed Shire Council. 02 6670 2400
Reports from Director Environment & Community Services

Kingscliff Foreshore
Vandalism of Vegetation
Reports from Director Environment & Community Services

Kingscliff Foreshore
Vandalism of Vegetation
Reports from Director Environment & Community Services
Council fights back by blocking water views

by PAUL FRASER

The Mosman
doctors were never

absolutely sure if the
trees had died of the
poisoning or from the
water contamination,
but they were not
about to risk

removing the trees
without further

investigation.

The council has decided to
continue blocking the
water views until
further notice.

The residents are

upset and have

begun to organize

protests against

the council's actions.

The council has

warned the residents

that they will face

fines if they continue

their protests.

The residents have

said they will continue

their protests until

the council reconsiders

its actions.

The council has

said it will not

reconsider its

actions.

The residents have

said they will continue

their protests until

the council reconsiders

its actions.

The council has

said it will not

reconsider its

actions.
Council banner shames vandals

By MARK SELKELL

A BANNER was erected yesterday in "shamed" residents' view who are believed responsible for ring-barking and destroying branches on three clusters of trees in the harbour side park, possibly to improve their New Year's Eve views.

Contractors for North Sydney Council erected the 3m banner, which "These trees have been viciously destroyed by vandals."

The trees were ring-barked on November 11, but before the offenders returned on November 30 and pulled ropes over some of the branches until they snapped off.

North Sydney mayor Graeme McCarthy said the banners were deliberately made the same size as foliage destroyed by the vandals.

"We believe that the vandals may have had something to do with New Year's Eve, by someone who wants a completely unobstructed view," he said.

"What we are saying is that they are unacceptable, and this banner will now block some of the view and remind people what they have done.

"Any person capable of doing this attack might have wanted a full, unobstructed view of the harbour and would not want any sort of barrier in the view.

"Some of the trees would have only partially blocked the view of a handful of residents. This is because nearby homes are built on a small cliff and will be able to see over the trees to watch the fireworks."

Some of the tree foliage, however, would have disturbed a view of the Harbour Bridge, which is spectacularly lit during celebrations.

Councillors are working hard to keep the trees alive, which are only now beginning to shed signs of drooping leaves and dying foliage.

Residents interviewed by The Daily Telegraph yesterday said they did not do the vandalism and supported the banner's creation.

Roy and Caroline Gorges, who were overseas in Yorkshire during the vandalism attack, and did not have their harbour view improved by the tree damage, said they were devastated by the move.

"It is good council is making a move about it," said Mrs George.

"I have kept the trees outside our window - you can see them reflected in mirrors inside the unit."

David Wood, who has a three-year lease on his townhouse, said he believed mindless vandalism - and not a greedy resident may have been behind the attack.

He said guests to his New Year's Eve function would know that he would never undertake such a vicious attack and, as a tenant, would have no motive to do so.

Mr Wood said in the week after the attack, an anonymous slip of paper was left in the residents' letterboxes.

"Who do you think had the motivation to ring-bark the trees?" the note read.

Bob Massey and Woolloomooloo Council said they were not aware of any increased problems with tree vandalism.
15. ORIGIN: Environment & Health Services Unit

FILE REF: Civic Centre-Tweed Heads, Cultural Development Funding

REPORT TITLE:
Tweed Cultural and Performing Arts Society

SUMMARY OF REPORT:
At its meeting of 16 August 2000 Council resolved as follows: “That Council requests a report on the possible purchase of equipment for use in the Tweed Heads Auditorium, being a hand held microphone and technology for visual arts presentations as requested by the Tweed Cultural and Performing Arts Society”. In response to this resolution a hand held microphone and a DVD-CD Player have been purchased.

Quotations for the provision of a projection system and screen range between $28,900 and $11,988 depending on the projector model, type etc. Quotations for a rear projection system ranged between $19,800 and $11,790. No funds are available for the purchase of any such projection systems in the current budget.

RECOMMENDATION:

That Council considers the provision of funds for the purchase of the projection system in its forthcoming budget deliberations.
REPORT:

Council may recall that at its meeting of 16 August 2000 that the following resolution was made – “That Council requests a report on the possible purchase of equipment for use in the Tweed Heads Auditorium, being a hand held microphone and technology for visual arts presentations as requested by the Tweed Cultural & Performing Arts Society.”

In respect of this resolution, a hand held microphone and DVC-CD Player has been purchased. Further discussions with a representative of the Tweed Cultural & Performing Arts Society with respect to other technology in accordance with the requirement of the resolution has revealed the need for a projection system and suitable screen.

Quotations for a suitable projection system and screen have been supplied and quoted costs range between $28,900 and $11,988. However the quote for $11,988 relates to a differently mounted projector unit with a discount price for the screen if purchased as a package. The projector unit price varies depending on model quoted, e.g. Sony VPL-PX30 without lens is $15,106 whereas Kodak 1800xa with zoom lens is $8,499. The quotation of $11,988 also relates to a ceiling mounted unit whereas other quotations related to the mounting of the projector in the existing Bio-Box area. Quotations were also received for rear projection systems. These ranged between $19,800 and $11,790.
16. ORIGIN: Environment & Health Services Unit

FILE REF: Public Toilets

REPORT TITLE:
Queen Street Murwillumbah Toilet Block

SUMMARY OF REPORT:
Council has resolved that a report be provided on the above.

RECOMMENDATION:

That Council considers providing funds of $100,000 for a total reconstruction of the Queen Street Toilet Block in its 2001 Budget deliberations.
REPORT:

Council at its meeting of 1 November 2000 considered a report concerning the Works Program for public toilets. Part of the resolution called for a report to be submitted concerning the public toilet in Queen Street, Murwillumbah.

These toilets are located in Queen Street, Murwillumbah adjacent to the town clock. They are constructed of a dark red brick with concrete roof and dark terrazzo partitions and tile floor. There are 5 ladies cubicles, 3 men’s cubicles and 2 stainless steel urinals with a hand basin in each section. While the design of the building is art deco it is elevated above the roadway and the gradient to access the ladies and stairs to the men’s prevents a simple addition to provide a disabled toilet or equitable access. To provide such would require demolition of the building excavation of the site and construction of a new facility estimated to cost $100,000.

Due to the dark colour of the brick and terrazzo partition the inside of the toilets has a dark appearance and to change this would require a cosmetic make-over at a cost estimated to be several thousand dollars, but would not address the equitable access issue or lack of a disabled person’s facility. There are currently no funds allocated for any works to this building.

Also the toilet like all other public toilets in the Shire is cleaned in the early hours of each morning except Sunday which may lead to an “uncleaned” appearance towards days end.

The location of the facility in the centre of Murwillumbah does serve a purpose and as such should not be removed.

Accordingly should Council wish to implement changes, that funding could be considered in the upcoming budget deliberations. It is also noted that due to the sensitive and central location that any changes will need some community consultation.
17. ORIGIN: Environment & Health Services Unit

FILE REF: Land Purchase

REPORT TITLE:

Purchase of Land from State Rail

SUMMARY OF REPORT:
Council has resolved to purchase a small part of Lot 124 DP 915277 from State Rail to incorporate in the new gallery site. To allow full use of this land it is also necessary to classify the land operational.

RECOMMENDATION:

That Council classifies the 1700m² purchase from State Rail as operational land.
TWEED SHIRE COUNCIL MEETING HELD WEDNESDAY 20 DECEMBER 2000

Reports from Director Environment & Community Services

REPORT:

Council has resolved to purchase a small portion of land from the State Rail for incorporation into the proposed new gallery site at Murwillumbah. To allow full use of this land it is necessary for Council to resolve to classify the land as operational.
18. ORIGIN: Environment & Health Services Unit

FILE REF: Water - National Water Week

REPORT TITLE:

Biodegradable Bait Bags Update

SUMMARY OF REPORT:

In October 1996, Tweed Shire Council and Redcliffe Shire Council assisted in a trial production of approximately 5000 biodegradable bait bags for distribution by Tweed Bait.

During the Sydney 2000 Olympic Games, the same biodegradable plastic was used to manufacture all disposable cutlery and garbage bags, to enable composting of such garbage.

RECOMMENDATION:

That this report be received and noted.
REPORT:

Council has recently received correspondence from Plastral Fidene Pty Ltd, the company marketing the biodegradable plastic used in the 1996 trial of biodegradable bait bags. The purpose of the correspondence was to inform Council of the progress that has been made in the area of biodegradable plastic. Plastral Fidene Pty Limited is the company responsible for importing and marketing the biodegradable plastic polymer used in the 1996 trial of biodegradable bait bags. The trial was a joint venture between Tweed Bait, Tweed Shire Council and Redcliffe Shire Council. The trial proved to be a success and approximately 5000 biodegradable bait bags were produced for local distribution by Tweed Bait.

According to the correspondence, the same biodegradable plastic used in the Tweed bait bag trial was used to manufacture disposable cutlery and garbage bags for the Sydney Olympic Games, enabling such waste to be composted.

The other recent development is that a local manufacturer, Jonmar Plastics of Yatala, Queensland, has recently started production of the biodegradable plastic bags on a commercial basis. According to the correspondence, interest has been expressed to use the biodegradable plastic for breadbags, crushed ice and bananas. Gold Coast City Council is considering subsidising the biodegradable plastic production. NSW Fisheries, the Queensland Department of Primary Industry, and the Sunfish Association are also in support of the concept of the biodegradable bait bag. Plastral Fidene P/L also advised that NSW Fisheries have taken the concept of the biodegradable bait bag to national and Australia/New Zealand forum, and it has been well received.

The issue yet to be resolved is the cost differential between conventional and biodegradable plastic. At the conclusion of the 1996 trial, Council sent correspondence to NSW Fisheries requesting legislative reform to remove the barrier set by production cost. Some progress has been made by locally producing the biodegradable plastic on a commercial basis. However without an even playing field, Tweed Bait and similar businesses will remain reluctant to use biodegradable bags for their product.
18a. ORIGIN: Environment & Health Services Unit

FILE REF: Police Matters

REPORT TITLE:

Crime Prevention Plan - Coolangatta/Tweed Heads

SUMMARY OF REPORT:

A meeting was held on Thursday 14 December 2000 which resulted in a proposal to develop a joint Crime Prevention Plan including Gold Coast City Council, Tweed Shire Council, Queensland Department of the Premier and Cabinet and the New South Wales Attorney General’s Department. The proposal is to be centred on Coolangatta/Tweed Heads and will be jointly funded by the State Governments. Council’s role will be to provide in-kind support to the consultants engaged to develop the plan.

RECOMMENDATION:

That Council endorses this joint project and advises the other partners accordingly.
Reports from Director Environment & Community Services

REPORT:

Council will recall that on Wednesday 13 December 2000 a Workshop was held with Mr Patrick Shepherdson from the NSW Attorney General’s Department concerning the State Government’s Crime Prevention Program. On the day following the workshop a meeting was held involving Mr Shepherdson, Ms Julie Byers (Queensland Government Department of the Premier and Cabinet), Gold Coast City Council representatives, Mr Neville Newell (Member for Tweed), a representative of Ms M Rose (Member for Currumbin) and Manager Environment and Health Services (Tweed Shire Council) representative.

From this meeting a proposal arose involving a joint local government crime prevention plan which would be developed by consultants for an area centring on Coolangatta/Tweed Heads. The funding for this plan, if it proceeds, would be provided by both the Queensland Department of the Premier and Cabinet and New South Wales Attorney General’s Department.

Council’s role in the plan development would be to provide in-house support to the consultant through the provision of information, statistical data, community and agency contacts etc. Gold Coast City Council indicated they are willing to administer the process while management will be a joint effort.

Once the plan is developed Council would be able to apply for funding for its implementation from the Attorney General’s Department.

Accordingly it is recommended that Council endorses this joint project and advises the other partners accordingly.
Reports from Committees/ Working Groups

1. Minutes of the Companion Animal Committee Meeting Held 11 December 2000

File No: Companion Animals

Venue:
Rous Room

Time:
8.00am.

Present:
Committee Members: Len Greer (Chairperson), Don Buckley, Christie Walker, Audrey Rennison, Alma McAllister, Paul Brouwer, Clr Wendy Marshall, Peter Ainsworth & Terry Lintern.

Apologies:
Nil

Minutes of Previous Meeting:
Moved: Len Greer
Seconded: Peter Ainsworth

Resolved that the Minutes of the Companion Animal Committee meeting held 13 November be accepted as a true and accurate record of the proceedings of that meeting.

Agenda Items:

1. Door Knock

A door knock was not completed in November 2000.

2. Achievement of Animal Control

Terry Lintern advised that as many patrols are being provided of coastal reserves and beaches as are permitted by current resources.
Reports from Committees/Working Groups

Peter Ainsworth advised that the caravan park managers are not employees and cannot be delegated regulatory functions.

3. Regional Committee

Councillor Marshall advised that the first meeting of the Regional Committee will be held 11 December at Mullumbimby. It was requested that the minutes of this Committee be distributed to members of the local Committee.

4. Membership

The appointment of new members has been approved by Council. However it was decided that the public notice calling for expressions of interest will be placed in the first Link edition after the Christmas break.

5. Off Leash Exercise Areas

Peter Ainsworth distributed a copy of the previous report to Council on the South Fingal OLEA as requested. Christie Walker supports a review of the South Fingal exercise area. A review of all existing OLEA will be conducted at the next meeting. Peter Ainsworth was requested to attach to the next agenda a list of the current OLEA.

GENERAL BUSINESS:

6. Policy on Control of Companion Animal Breeding

Discussion was had regarding the need to control and regulate the sale of non microchipped companion animals, particularly kittens and puppies. Councillor marshall stated that animal breeders could be licensed as is done on the Gold Coast. Don Buckley suggested that several dogs and cats could be purchased and penalties issued for non compliance. These cases would then be promoted through the Link. Len Greer stated that unwanted litters are central to the overall issues dealt with by Committee.

Alma McAllister stated that the control of breeders through licensing is ‘too far down the track’, beyond current resourcs and Council needs to focus on immediate education issues.

Don Buckley stated that a policy on the matter will be presented to Committee when it is developed.
7. Education

Terry Lintern advised that new brochures have arrived as requested and will be distributed to Libraries and the like in the immediate future.

Paul Brouwer advised that information on cats is being included in presentations at schools, but the main focus has been dogs.

8. Companion Animal Workshop

Councillor Mashall advised that at a Department of Local Government workshop on 8 December 2000 regarding the Act it was implied that the current cat restrictions are unworkable. The need for a statewide television education campaign was strongly supported by all council officers present. From the information discussed, it appears that Tweed Shire has achieved a relatively great deal concerning the regulation of companion animals since the introduction of the Act.

Don Buckley noted that a letter has been forwarded to the Department regarding suggested amendments to the Act, as previously identified by Committee.

RECOMMENDATION:

That the letters recently forwarded to the Department regarding the Act also be forwarded to the Minister and Local Members, including a suggestion that a statewide television education campaign be launched.

9. Committee Action Plan

Peter Ainsworth circulated a copy of the goals identified by Committee at the meeting of 6 September 1999. These matters will be discussed at the next meeting. It was agreed that the following goals remain valid:

- Emphasis on education
- Achieving compliance regarding dogs on lead in public places
- Achieving compliance regarding microchipping and registration
- Lobbying State Government to make the Act practical

Members were requested to state what goals they feel are a priority. The following were identified:

- Being able to travel around the Shire without seeing dogs off lead in public places
- Establish some form of control over animal breeding
Reports from Committees/Working Groups

- Putting up bill boards at the entry to the Shire regarding dog control
- Four members said that education should be the focus
- Control over dogs brought to the Shire by Queensland owners
- Establishing some rational controls over cats

This matter will be further reviewed at the next meeting.

NEXT MEETING:

The next meeting of Companion Animal Committee will be held Monday 5 February 2001.

The meeting closed at 9.30 am.

**Director's Comments:**

With respect to the recommendation under Item 8, distribution of the letter to the local members and Minister is likely to increase awareness of difficulties which are being experienced with the Act.

**DIRECTOR'S RECOMMENDATIONS:**

8. Companion Animal Workshop

**Companion Animals**

**Committee Recommendation:**

That the letters recently forwarded to the Department regarding the Act also be forwarded to the Minister and Local Members, including a suggestion that a statewide television education campaign be launched.

**Director's Recommendation:**

With respect to the recommendation under Item 8, distribution of the letter to the local members and Minister is likely to increase awareness of difficulties which are being experienced with the Act.
2. Minutes of the Tweed River Management Plan Advisory Committee Meeting held Wednesday 29 November 2000

VENUE:
Conference Room, Cabarita Beach Hotel Motel.

TIME:
9.30am.

PRESENT:
Cr W Marshall (Chair), Cr M Boyd, Cr H James (Tweed Shire Council); Messrs C Cormack (Waterways Authority); Ms R James (Caldera Environment Centre); R Hagley, T Rabbidge (Department of Land and Water Conservation); J Henley, Mark Tunks, G Judge, Ms J Lofthouse (Tweed Shire Council).

Informal: Peter Chappelow, (Waterways Authority); Dugald Gray (Eco Roc Pty, Ltd, Action Sands).

APOLOGIES:
N Newell (State Member for Tweed); R Quirk (Tweed River Advisory Committee & NSW Cane Growers’ Association); G Edwards (Tweed Shire Council), B Loring ((NSW Fisheries); L Tarvey (National Parks and Wildlife Service); A Blundell (T & J Blundell); Cr R Brinsmead; G Budd (Environment Protection Authority).

MINUTES OF PREVIOUS MEETING:

Moved: Cr M Boyd
Seconded: R Hagley

RESOLVED that the Minutes of Meeting held Wednesday 11 October 2000 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

2. TRESP Lower Estuary Shoals Management Plan

J Henley noted that a draft of the Management Plan should be submitted by DLWC shortly. It was estimated that following any major shoal removal, the shoals would take between 6 months and 2 years to re-establish under natural conditions.

Noted that results of the latest surveys are required to assess the status of the navigational channel in the lower river.

3. Tweed River Link Project

The Committee needs to consider action to take should other funding not be forthcoming for the construction of a jetty and boardwalk on the western side of the river at Murwillumbah.
5. **Interim Water Quality Management Plan**

Council adopted the Interim Water Quality Management Plan at the 1 November 2000 meeting.

6. **Water Week 2000**

The launch of the stormwater quality improvement devices during Water Week was successful with good media coverage and attendance by the Mayor, State and Federal Ministers and others. A Tweed Teachers bus tour held during the week was popular and enabled local teachers to experience the types of excursions possible around the Tweed.

**GENERAL BUSINESS:**

1. **Chinderah Reach Dredging**

Dugald Gray, Mining Engineer from Eco-Roc Pty Ltd, representing Action Sands, presented information on the proposed recommencement of sand dredging near Chinderah. Mr Gray is producing the Business Plan for Action Sands.

It was noted that marine sourced sands are not necessarily suitable for concrete production and that these could be mixed with manufactured sands to produce the desired quality. Mr Gray noted the nexus between the sand royalty and spending on resource and amenity repair.

The current royalty paid to the State Government by Action Sands is $1.70 per cubic metre for compacted sand. The Area 5 tender sets the rate at $2.15 per cubic metre.

It was observed that a potential source of river gravel and course sands was available between the Murwillumbah Bridge and Bray Park Weir.

2. **Riparian Site Prioritisation Meeting Minutes**

The recommendations outlined in the meeting minutes were discussed.

Moved: Cr H James
Seconded: Cr M Boyd

RESOLVED that the following recommendations of the Riparian Projects sub-committee be adopted.

1. That four separate plans of management be prepared for the following eight sites (contiguous Sites formed into one Management Area):

   a. Oxley Cove between Old Ferry Road and the peninsula. Two Sites – 17 & 18;
Reports from Committees/Working Groups

b. Terranora Broadwater. Four Sites - 9, 10, 11, 12 Western Terranora Broadwater, Bingham Bay, Charles Bay & Bilambil Creek;

c. Wobul Creek – Site 30;
d. Rous River between Wobul and Mayal Creeks – Site 32.

2. For all sites, but particularly 9, 10, 17, 18 and 30 the preparation of plans should commence with detailed survey and record of species present. Results of surveys should be referred to NPWS for comment, especially on threatened species and communities.

3. Liaison should occur with Recreation Services division of TSC.

4. Plans should identify potential sources of funds, including S94 Plan – No. 5 in the case of the Oxley Cove sites.

5. Site 32 has potential as a research & development site for a trial of a riparian regeneration technique involving the layering of vegetative suckering plant stems, which, if successful, would cover large areas of exposed bank with interlacing and stabilising vegetation. This technique had been successful in the U.S. and is as yet untrialed in Australia.

6. The executive of TRMPAC should liaise with the Recreation Services and Strategic Planning divisions regarding the planned amendment to S94 Plan – No.5 to protect and perhaps enhance this potential source of funds. Enhancement could include the provision of funds for the Birds / Bingham Bay site which is within the present catchment of S94 Plan – No.5.

Moved: Cr H James
Seconded: Cr M Boyd

RESOLVED that the sub-committee convenes to prepare recommendations and actions for developing management plans. This to include the content of plans, who is to prepare, allocation of resources and a time frame for completion.

3. Ecological Monitoring Newsletter

A meeting is to be held with Nicole Thomas about the newsletter on Wednesday 6 December 10.00am. A newsletter sub-committee will consist of Cr W Marshall, J Henley, R Hagley, J Lofthouse, and M Tunks.

4. 10th Annual NSW Coastal Conference

The 10th Annual Coastal Conference was held in Yamba, 21 to 24 November 2000. The Conference was attended by R Hagley, T Rabbidge, M Tunks, G Edwards (partial attendance), Cr W Marshall, Cr H James and J Lofthouse.
The following comments were provided by these attendees:

The Conference provided a good variety of papers and generally the quality of presentations was high. It provided good networking opportunities and there was a focus this year on climate change and sea level rise and its potential impact on our coastline.

The full copies of the Conference Proceedings are available from J Lofthouse. The 11th Annual Coastal Conference is to be held in Newcastle.

Noted that the 2002 Conference will be held in conjunction with the biennial National Coast to Coast Conference to be hosted jointly by the Queensland and NSW Governments and Gold Coast City Council and Tweed Shire Council. The location is to be decided, in the vicinity of the Queensland/NSW border.

RECOMMENDATION:

That the 11th Annual NSW Coastal Conference be attended by the Chairman of the Coastal and Estuary Management Committees and appropriate staff.

5. Program Status

Estuary Management

A draft program status document was distributed. An updated version will be distributed with the minutes.

6. Northern Rivers Catchment Management Board – Catchment Targets

Total Catchment Management

Boating

Cr Boyd requested input from this Committee to take forward to the NRCMB to assist them with developing catchment targets. The Board has taken on 4 main objectives and the targets are to be developed to meet these objectives.

7. Recreational Waterway Use

Boating

Noted that a potential conflict has been identified through the establishment of a base for a water ski club close to the Murwillumbah Rowing Club.

Discussion on the potential of relocation of the ski club to the Condong boat ramp, potential for boat use zonings both temporal and spatial and production of a Waterways Recreation Management Plan to manage these conflicts.

RECOMMENDATION:

That Council:-
Reports from Committees/Working Groups

a. Be made aware of the potential for conflict between the location of a water ski club and use of powerboats in the vicinity of the Murwillumbah Rowing Club in the upper Tweed River estuary, and

b. Investigates the legality of the establishment of a ski club on the private land behind Liquorland, Murwillumbah South.

8. Independent Inquiry into Coastal Lakes

The Healthy Rivers Commission is conducting an independent inquiry into the management of coastal lakes and their catchments.

The relevant water bodies that have been identified in the Tweed are Terranora/Cobaki Lakes and Cudgen Lake.

Discussion on inclusion of other small lakes such as Kerosene Inlet, Sponsors Lagoon, Wommin Lake and Lagoon.

Any comments on the process outlined by the Healthy Rivers Commission are to be supplied to J. Lofthouse before 11 December 2000 for inclusion in a submission.

NEXT MEETING:

The next meeting of the Committee is to be held on Wednesday 7 February 2001 at the Canvas & Kettle Restaurant commencing at 9.30 am.

The meeting closed at 11.30 am.

Director's Comments: Nil.

DIRECTOR'S RECOMMENDATIONS:

4. 10th Annual NSW Coastal Conference

Committee Recommendation:

That the 11th Annual NSW Coastal Conference be attended by the Chairman of the Coastal and Estuary Management Committees and appropriate staff.

Director’s Recommendation: Nil
7. Recreational Waterway Use

Committee Recommendation:

That Council:-

a. Be made aware of the potential for conflict between the location of a water ski club and use of powerboats in the vicinity of the Murwillumbah Rowing Club in the upper Tweed River estuary, and

b. Investigates the legality of the establishment of a ski club on the private land behind Liquorland, Murwillumbah South.

Director’s Recommendation: Nil.
3. Minutes of the Local Traffic Committee Meeting held Thursday 14 December 2000

Traffic Committee

VENUE:
Oxley Room

TIME:
Commencing at 9.00am.

PRESENT:
Committee Members: Mr Mike Baldwin, Roads and Traffic Authority; Sgt Bill Darnell, NSW Police.
Informal: Chairman: Mr Paul Morgan, Mr Ray Clark and Judith Finch, Tweed Shire Council.

APOLOGIES:
Cr George Davidson, Tweed Shire Council; Mr Don Page MP, Member for Ballina; Mr Neville Newell, MP, Member for Tweed; Councillor Wendy Marshall, Tweed Shire Council.

MINUTES OF PREVIOUS MEETING:

RESOLVED that the Minutes of the Local Traffic Committee Meeting held Friday 17 November 2000 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

BUSINESS ARISING:

2. Pioneer Parade, Banora Point (Banora Point Primary School)

At the meeting held on 17 November 2000 (item 2) the following was discussed:-

“Request received for the provision of a paid “Lollipop Person” for crossing duties before and after school at the Banora Point Primary School.

It has been stated that parents have reported that child safety problems are escalating which are associated with safe drop off and pick up zones around the school and that near misses have occurred on the roadway after school as large groups of children exit at once.

The RSO reported that in the morning 281 vehicles and 81 pedestrians were reported and in the afternoon 72 vehicles and 72 pedestrians in a 15 minute period. After that the numbers dropped to well below the warrant requirements.

The RTA Representative stated that 5300 counts were needed and then a hazard index performed. The RTA Representative requested more counts prior to a hazard index being performed. It was noted that other issues such as parked cars are a problem at this location and it may be more of a traffic management issue.

Cr Davidson returned.
Reports from Committees/Working Groups

It was decided that the Engineering Services Division should review the current signage with regard to bus zones, parking and warning signage.

For Council’s information.”

To be deferred to the meeting of the Local Traffic Committee in February 2001.

For Council’s information.

GENERAL BUSINESS:

1. Piggabeen Road, Piggabeen

Request received for assistance to alleviate the problem of speeding vehicles along Piggabeen Road past Green Valley Way.

It was decided that a speed survey / traffic count should be performed on Piggabeen Road past Green Valley Way when resources permit. The speed survey will identify the appropriate speed zoning. The other two issues in the Applicant’s letter are being dealt with separately.

Also Council’s mobile radar speed unit will be situated on Piggabeen Road as resources permit.

RECOMMENDATION:

That a speed survey / traffic count be undertaken on Piggabeen Road when resources are available and the applicant be advised accordingly.

2. Wharf Street, Tweed Heads

Ratification required for time limited “No Stopping” signage and “Handicapped” signage in the car park outside Coles adjacent to Wharf Street, Tweed Heads. A drawing of the area was viewed by the Committee.

The Road Safety Officer advised that Tweed Mall had requested signage to clarify parking issues. The signage plan was endorsed by the Traffic Committee.

For Council’s information.

3. Leisure Drive, Tweed Heads

Request received for upgrading of the island refuge adjacent to the Centaur Primary School to a full pedestrian crossing.
Reports from Committees/Working Groups

Surveys have been performed on Leisure Drive and the RTA Officer advised that between 8.15 and 9.15 am 605 vehicles and 12 adult pedestrians and 6 children pedestrians with one unescorted child were counted. It was noted that cars were stopping at the refuge to let them cross.

The RTA Officer advised that a school crossing is appropriate if the School Principal signs the agreement.

RECOMMENDATION:

That a school crossing be approved on Leisure Drive at the existing pedestrian refuge subject to the school accepting the standard conditions.

4. Florence Street, Tweed Heads

Request received for a pedestrian crossing west of Wharf Street.

The Chairman advised that a school crossing is being installed. It was noted that there is enough traffic in Florence Street but not enough pedestrians to warrant a pedestrian crossing, however a refuge can be included at the school crossing. It was also noted a signalised pedestrian crossing exists across Florence Street at the Wharf Street intersection.

RECOMMENDATION:

That a refuge island be provided in the already approved school crossing near Enid Street, when funds permit.

5. Murwillumbah South Infants School

Request received for the provision of a 40kph school zone on the Pacific Highway. It is reported that some students live at the Greenhills Caravan Park and access the school via the highway. There is no pedestrian crossing between the school and caravan park, making it difficult for students to cross the highway.

It has been advised that the Pacific Highway bus stop is used on excursions as there is a student with a disability in a wheelchair and the bus stop in River Street does not have wheelchair access.

As the request is for works on the Pacific Highway it is an issue for the Roads & Traffic Authority. The Committee suggested the matter be referred to the RTA for action.

RECOMMENDATION:

That the applicant be advised that the matter has been referred to the RTA for action.
6. Coronation Avenue, Pottsville

The Local Traffic Committee’s advice is sought in relation to reversing vehicles on Coronation Avenue. It has been reported that several accidents have occurred when cars reverse out of designated parking areas facing the shops. Reversing vehicles have collided with parked cars on the other side of the road and with a vehicle travelling at excessive speed. It was noted that in fact the letter is referring to the land zoned Public Open Space used as a car park adjacent to the recreation field and tennis courts. The new shopping centre was permitted to front on to this public land in exchange for upgrading the public car park adjacent to the frontage. However, the eastern side of the car park remains unformed.

The possibility of installing a speed hump to slow vehicles was discussed. The Committee suggested that the matter should be referred to the Manager of Parks and Gardens to formalise the eastern side of the car park and consider installation of a speed hump at the entrance to the car park.

For Council’s information.

7. Pottsville Mooball Road and Coast Road and Old Bogangar Road

Late Item. Request received for a permit for B-doubles to travel from Mooball to the on site concrete batching plant on the Chinderah to Yelgun Motorway project and to carry 55 tonne.

Also a permit is requested for B-doubles to travel down from Chinderah to Clothiers Creek Road via the Coast Road using Old Bogangar Road, Coast Road, Rosewood Avenue and Clothiers Creek Road.

The Chairman advised that this is for the provision of cement for the Motorway and approval is currently under consideration from the RTA for B-doubles to use the Highway as far as the Pottsville Mooball Road. Noted that the B-doubles are 19m in length.

The RTA officer advised that the B-double is a special configuration to allow 55 tonne to be transported. The Police Representative asked that he be able to site the configuration and documentation approving same.

It was decided that written approval from the RTA needs to be obtained for the Pacific Highway and a copy provided to Council prior to any other approvals being issued.

The Police Representative requested that if any permit is granted it should exclude Easter and Christmas periods.

The Committee agreed to request the operator to participate in a trial after RTA approval for operation on the Pacific Highway is gained.

For Council’s information.
5. Speed on Tweed

Sports & Recreation – General, Roads – General, Works Program

Concern was raised by the Police Representative and RTA Representative that the Speed on Tweed event had not been put before the Local Traffic Committee.

It was requested that future events be given to the Local Traffic Committee for comment and consideration.

For Council’s information.

NEXT MEETING:
The next meeting is scheduled for Thursday 1 February 2001.

The meeting closed at 10:45am.

**Director’s Comments:** Please note Director’s recommendations on Items 1, 3, 4 and 5

**DIRECTOR’S RECOMMENDATIONS:**

1. Piggabeen Road, Piggabeen

   **Committee Recommendation:**
   
   That a speed survey / traffic count be undertaken on Piggabeen Road when resources are available and the applicant be advised accordingly.

   **Director’s Recommendation:** Action supported, current financial year.

3. Leisure Drive, Tweed Heads

   **Committee Recommendation:**
   
   That a school crossing be approved on Leisure Drive at the existing pedestrian refuge subject to the school accepting the standard conditions.

   **Director’s Recommendation:** Action supported. Budget available.
4. Florence Street, Tweed Heads

Committee Recommendation:

That a refuge island be provided in the already approved school crossing near Enid Street, when funds permit.


5. Murwillumbah South Infants School

Committee Recommendation:

That the applicant be advised that the matter has been referred to the RTA for action.

Reports from Committees/Working Groups

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

4. Minutes of the Aboriginal Advisory Committee Meeting held Monday 30 October 2000

5. Minutes of the Tweed Shire Local Emergency Management Committee Meeting held Tuesday 7 November 2000
Orders of the Day

1. Notice of Motion - Cr Marshall
   
   Council Pound Facility

   Dog Pound, Notice of Motion

   That the General Manager be requested to bring forward a report detailing plans for the expansion/re-building of the Cattery area of the Council Pound facility as a matter of urgency. The report to detail potential funding from the accumulated funds from the new registration scheme associated with the Companion Animals Act 1998.

2. Notice of Motion - Cr Polglase
   
   Tweed River Art Gallery

   Arg Gallery-General, Notice of Motion

   That Council underwrites the community financial contribution to the Tweed River Art Gallery for the sum of $750,000.

3. Notice of Motion - Cr Luff
   
   Mayoral Car

   Mayoral Vehicle, Notice of Motion

   That the Mayoral car is provided for the use of the Mayor on Council business only.

4. Notice of Motion - Cr Luff
   
   Mayoral Car

   Mayoral Vehicle, Notice of Motion

   That the Mayoral car is only to be driven by a person, other than the Mayor, when both:
   
   a. the Mayor is in the car; and
   b. the car is used for Council business.
Orders of the Day

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