

**TWEED SHIRE COUNCIL
MEETING TASK SHEET**

For Meeting held on Wednesday 16 February 2005

User Instructions

If necessary to view the Agenda Item, double-click on 'Agenda Report' (blue hyperlink above).

Resolved Items Action Statement

Action is required for the following item as per the Council Resolution.

TITLE: [PE] Draft Tweed Local Environmental Plan 2000, Amendment No 10 - Urban Release Area E - Terranora

Cr Holdom left the meeting at 06:28 PM

RESOLUTION:

**Cr L F Beck
Cr G J Lawrie**

RESOLVED that the Director of Planning and Environment prepares a comprehensive report on all the issues pertaining to the draft Plan to enable Council determination on how to proceed with the draft Plan.

FOR VOTE - Cr Polglase, Cr Brinsmead, Cr Beck, Cr Bell, Cr Lawrie, Cr Carroll, Cr Boyd, Cr James

AGAINST VOTE - Cr Murray

ABSENT. DID NOT VOTE - Cr Holdom, Cr Dale

Agenda Report

TITLE: [PE] Draft Tweed Local Environmental Plan 2000, Amendment No 10 - Urban Release Area E - Terranora

ORIGIN:

Strategic Town Planning

FILE NO: GT1/LEP/2000/10 Pt5

SUMMARY OF REPORT:

The purpose of this report is to advise Council of the progress of Draft Local Environmental Plan 2000 Amendment No 10 - Area E, and to seek direction as to the future progress of this Project.

Council is in receipt of an objection from the NSW Roads & Traffic Authority. Council officers have been in discussion with RTA representatives over the past 8 months to overcome this objection. These discussions have proven ineffective, and the RTA has maintained its objection. The RTA's objection is based on potential traffic impacts on the Pacific Highway. Council's Traffic Engineers engaged the services of Veitch Lister Consulting to undertake a Review of the Tweed Road Development Strategy for the Banora Point area. It concluded that the potential impacts of Area E on the strategic road network in the area are small (relative to the base levels, without Area E). Council's Traffic Transport Engineers have advised the RTA needs to upgrade the Pacific Highway and its interchanges between Barneys Point Bridge and the Queensland Border at some stage in the future regardless of whether Area E is rezoned or not.

RECOMMENDATION:

That the Director of Planning and Environment prepares a comprehensive report on all the issues pertaining to the draft Plan to enable Council determination on how to proceed with the draft Plan.

REPORT:

The purpose of this report is to advise Council of the progress of this subject Draft LEP Amendment, and to seek direction as to the future progress of this Project.

Council is in receipt of an objection from the NSW Roads & Traffic Authority. Council officers have been in discussion with RTA representatives over the past 7-8 months to overcome this objection. These discussions have proven fruitless, and the RTA has maintained its objection. The RTA's objection is based on potential traffic impacts on the Pacific Highway. Council's Traffic Engineers advice concerning the RTA's advice is provided further into this report.

Background

Council engaged the services of Parsons Brinckerhoff to undertake draft LEP Amendment No 10 - Terranora Urban Release Area E. The draft Plan and accompanying documents (LES and maps) were undertaken in consultation with relevant State Government Authorities.

Draft Tweed LEP 2000, Amendment No 10 was publicly exhibited from Wednesday, 17 March 2004 to Friday, 7 May 2004. During this period a total of 137 submissions was received relating to the proposal.

A late submission was received from the NSW RTA on 10 June 2004 objecting to the draft Plan. A copy of this initial correspondence is attached. As can be seen the RTA's concern relates to the potential impact of the proposed rezoning on the operations of the Pacific Highway, in particular at the interchanges at Terranora Road, Darlington Drive and Minjungbal Drive. As a result of these submissions Council staff held a series of meetings and have provided the RTA with further information and analysis as requested, but these efforts over the past 8 months have not been successful.

On 11 January 2005 the RTA wrote to Council unwilling to remove its current objection over the draft Plan. A copy of this correspondence is attached for Councillors' information.

As can be seen, the final piece of correspondence from the RTA, despite maintaining their objection, it does provide options on how to possibly deal with Area E including:

- Staging of the development;
- Bringing forward capital work (Kirkwood Road overbridge);
- Developers entering into Deed Containing Agreements (DCAs) or Works Authorisation Deeds (WADs).

Although alternatives have been provided by the RTA they are very broad and don't provide much direction and potentially require greater research and analysis and further meetings and discussions between Council and the RTA without any certainty of an outcome. For example, the RTA has stated that it would consider staging of the development, but have not stipulated what percentage of the proposed rezoning can be staged initially and have not provided traffic volume thresholds considered acceptable by the RTA leaving the issue very open ended. Further, the issue of DCAs and WADs to address infrastructure issues and roadworks needs to be clarified stating what roadworks

would be required by the RTA and how the cost of these works is envisaged to be apportioned to Area E.

Council officers can continue to arrange meetings and provide further information to the RTA, but there is still no certainty as to whether an outcome considered acceptable by the RTA can be arrived at. So after several more months of negotiations with the RTA, Council may find itself in the same position. This questions the usefulness and merit of Council officers continuing further meetings with the RTA.

Engineer's Advice

Council has an extensive traffic model, which has recently been reviewed and updated.

As part of that process the Consultants (VLC) were requested to specifically investigate the impact of potential traffic generation on the Pacific Highway for Area E.

The VLC report finds that the Area E rezoning will produce increased traffic on the local road network, and to a lesser extent, on the Pacific Highway. However, the model results also shows that the impact of growth requires the upgrade of the Pacific Highway from Barneys Point to the border regardless of the Area E rezoning outcome.

Area E would increase the ultimate traffic volumes on the Pacific Highway at Barneys Point Bridge by 2% (1081 vpd) and at Terranora Creek Bridge by 4% (4294 vpd).

In summary, the RTA needs to upgrade the Pacific Highway and its interchanges between Barneys Point Bridge and the Queensland Border at some stage in the future regardless of whether Area E is rezoned or not. The only impact Area E has on the highway is that the timing of the required upgrading may need to be brought forward.

Options

1. Continue meeting with RTA Officers to try and arrive at an outcome.
2. Put Project on hold until RTA requirements/issues can be fully addressed.
3. Forgo further meetings with the RTA and present a full comprehensive report on the draft Plan to Council at a later meeting to enable Councillors to make a fully informed decision on how they wish to proceed with the draft Plan.

Conclusion

Council officers have been meeting and trying to negotiate an outcome with the RTA over the last 8 months. These discussions have proven unsuccessful. These discussions could continue indefinitely without any certainty of an outcome. Council's Traffic and Transport Engineering advice have stipulated the impact of Area E are relatively small and that the RTA would need to upgrade that section of the Pacific Highway and its interchanges at some stage in the future regardless of Area E. It is recommended that Council follow Option 3 above.

RSTM&D 438 5314:18
Mr Michael Baldwin (02) 6686 1832
Northern Regional Office



LEP-AREA E

TWEED SHIRE COUNCIL
FILE NO: GT/LEP/2000/10 Pt 4

DOCUMENT NO: []

REC'D JUN 2003

ASSIGNED TO: BUTON, E.

PHOTOCOPY IMAGE

The General Manager
Tweed Shire Council
P.O. Box 816
MURWILLUMBAH NSW 2484

Draft Tweed Local Environmental Plan 2000, Amendment No 10 – Terranora Urban Release Area E.

Dear Sir

I refer to your letter dated 16 April 2003, your reference GT1/LEP/2000/10 Pt2 The Roads and Traffic Authority (RTA) objects to the subject LEP amendment.

The RTA is concerned the proposed land release has major implications for the future operation and management of the Pacific Highway in Tweed Heads. Of particular concern is the reliance on use of the Pacific Highway to distribute local traffic through the Tweed Heads area. The proposal will specifically have impacts on the operation of the Terranora Road connection to the Pacific Highway, the Darlington Drive interchange as well as the operation and efficiency of Minjungbal Drive and connections to the Pacific Highway.

To move forward it is proposed a meeting with Tweed council Officers and RTA representatives be convened to discuss options to alleviate the concerns expressed above as well as Council's proposed Kirkwood Road connection. To arrange a suitable time for discussion may I suggest you contact Mr Wes Stevenson of the Pacific Highway Office on 6640-1014.

Yours faithfully

APC
P Peter Collins *8.6.4*
 Regional Manager, Northern Client Services

Roads and Traffic Authority
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Mr Gregory Sciffer (02) 66401344
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LEP - AREA E - TERRANORA.

FILE No GTI/LEP/2000/10 Pt5

DOCUMENT No

REC'D 17 JAN 2005

ASSIGNED TO BUTRON E

HARD COPY IMAGE

General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH NSW 2484

14 JAN 2005

Tweed Shire Council. Urban Area Release. Area E.

Dear Sir

Reference is made to your letter dated (GTI/LEP/2000/10 Pt5) dated 24 November 2004 concerning the proposed Local Environment Plan (LEP) for Area E at Terranora

Based on the information provided the Roads and Traffic Authority (RTA) is not prepared to remove its objection at this time.

Although the overall distribution of traffic generation from Area E will only have a relatively minor impact on the total road network, the existing intersections of the Pacific Highway with Terranora Road and Darlington Drive and the Minjungbal/Machinery Drive traffic signals are already experiencing congestion and delays generated by existing development.

The existing traffic signals at the junction of the Pacific Highway and Terranora Road have been subject to a lot of community concern and accidents. A 26% increase in traffic volumes would be unacceptable without significant improvements being undertaken to improve the level of service.

The existing Darlington Drive (South Tweed Interchange) and Minjungbal/Machinery Drive traffic signals are also experiencing congestion and increasing delays. At Machinery Drive the problem mainly relates to a lack of right-turn capacity.

Major network improvements currently at various stages of development by the RTA and Council (ie Banora Point Deviation, Tugun Bypass interchange, Kirkwood Road overbridge and connection to the Tweed Heads Bypass) have the potential to address most of the RTA's concerns with traffic potentially generated by Area E. For example, the traffic between Terranora Road and Tweed Heads South may not need to interact with Pacific Highway traffic in the future

Roads and Traffic Authority
ARN 64 480 155 255



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These major developments are yet to be fully developed and approved. The timing of construction is also uncertain.

Other minor improvements, such as the widening of the Terranora Road intersection with the Pacific Highway and increasing the lane capacity at Machinery Drive could address some of the RTAs concerns. At this time there is no formal agreement to guarantee that the necessary infrastructure will be delivered in time to match the development of Area E.

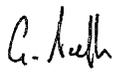
There are two options that the RTA would consider at this time:

- Option 1: Staging the development so it has minimal impact on existing highway junctions, infrastructure and traffic signal operations.
- Option 2: Advance the Kirkwood Road overbridge without the upgrading of the Fraser Drive link

In order to provide improvements along the State Road network the RTA now requires as a condition of rezoning separate agreements such as Deed Containing Agreements or Works Authorisation Deeds with developers to make sure that the necessary infrastructure and road works are undertaken to current legislative, environmental and construction standards.

A copy of this letter has been forwarded to the Department of Infrastructure and Natural Resources (DIPNR) for their information.

Yours faithfully


✓ Peter Collins
Regional Manager, Northern Client Services

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.
