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# Items for Consideration of Council

## CONFIDENTIAL

### Reports from Director Corporate Services in Committee 5

1. ORIGIN: Financial Services Unit 5

#### **Review of Payment/Collection Options**

*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.*

2. ORIGIN: Administration Services Unit 15

#### **Business System Consultancy Project**

*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.*

### Reports from Director Environment & Community Services in Committee 17

3. ORIGIN: Building Services Unit 17

#### **Defective Roof Water Disposal**

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

*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*

### Confidential Orders of the Day 27

1. Notice of Rescission - Crs Lawrie, Brinsmead and Marshall 27

#### **Tweed Link**

2. Notice of Motion - Cr Lawrie 27

#### **Tweed Link**

## Items for Consideration of Council

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# Schedule of Outstanding Resolutions

## 18 FEBRUARY 1998

### REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

30. Issue of Section 149 Certificates - Banora Point/Tweed Heads South  
GA8/2/3 Pt5 900 116 104

1572

Cr Graham  
Cr Nowland

**RESOLVED** that this item be deferred pending the receipt of the new ANEF contour lines from Air Services Australia.

**Current Status:** Awaiting receipt of new ANEF contour lines from GCAL.

Letter sent to Air Services on 26/11/99 asking for new contours for new flight paths. Response from Air Services 2/12/99 that this has been referred to their Environmental Branch. They have now advised that GCAL is responsible for new ANEF plans. Letter sent GCAL requesting prompt attention.

## 17 FEBRUARY 1999

### ORDERS OF THE DAY

1. Notice of Motion - Cr Cooper  
Norries Headland

PF1180/9011 Pt2 534 613

880

Cr Cooper  
Cr Nowland

**RESOLVED** that :-

1. The Director Environment & Community Services develops a plan for an increase in day use of beachside park land and car parking at Norries Head.
2. A joint meeting of the Cabarita Beach-Bogangar Residents Association and the Village Improvement Committee be held as part of this planning process and this meeting be advertised in the Tweed Link.

**Current Status:** Draft Plan prepared. Public meeting held 17 January 2000.

# Schedule of Outstanding Resolutions

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## 7 JULY 1999

### REPORTS FROM DIRECTOR CORPORATE SERVICES

**19. Tweed Shire Council Lease from St George Building Society**

**PF4040/160**

1355

Cr Polglase

Cr Graham

**RESOLVED** that a report be brought forward detailing the names of the sub-lessees and the amounts they will pay.

**Current Status:** Awaiting receipt of the sub-leases.

---

## 1 SEPTEMBER 1999

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

**6. Draft Tweed Local Environmental Plan 1988: Permissibility of Educational Establishments in Rural 1(a) Zone**

**GT1/LEP/1998 Pt4**

543

Cr Nowland

Cr Fraser

**RESOLVED** that this item be deferred for a workshop to be held regarding this matter.

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

---

## 20 OCTOBER 1999

### REPORTS FROM DIRECTOR CORPORATE SERVICES

**12. Use of Land - Mt Nullum**

**GL2/4 Pt3**

819

Cr Boyd

Cr Luff

**RESOLVED** that a Council inspection of the Mt Nullum site be held at an appropriate time.

**Current Status:** Inspection organised, suitable date to be arranged.

---



## Schedule of Outstanding Resolutions

### REPORTS FROM SUB-COMMITTEES

3. Minutes of the Aboriginal Advisory Committee Meeting held 27 September 1999
12. Tweed Shire Council/Aboriginal Community Meeting

GA10/5

841

Cr Boyd

Cr Carroll

**RESOLVED** that a suitable date be scheduled for Councillors to visit the Minjungbal Museum and surrounds and meet with members of the Aboriginal Community.

**Current Status:** Aboriginal Advisory Committee Meeting on Monday 31 January 2000. Arrangements for the inspection and date to be finalised.

### 1 DECEMBER 1999

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

3. Continuation and Expansion of Existing Quarry at Lot 12 DP 601427, Lot 26 DP 615931 and Lot 1 DP 34555 Eviron Road, Eviron  
PF1960/540 Pt2

992

Cr Brinsmead

Cr Marshall

**RESOLVED** that Council Officers prepare a Plan of Traffic Management for the potential quarry use of Duranbah Road and Eviron Road.

**Current Status:** Report being prepared. Anticipated ready for February meeting.

### REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

21. Sportsfields in Terranora Village/Area E Location  
Active Recreation

1018

Cr Boyd

Cr Youngblutt

**RESOLVED** that Council officers pursue urgently the matter of the development of the active sports fields required under the Terranora Village approval.

**Current Status:** Negotiations initiated.

# Schedule of Outstanding Resolutions

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## 15 DECEMBER 1999

### ITEMS DEFERRED

**17. Point Danger Signage (Cook's Point Danger)**

**Geographical Names Board**

**1051**

**Cr Boyd**

**Cr Marshall**

**RESOLVED** that this item be deferred to the Council meeting of 19 January 2000.

**Current Status:** Report being prepared for February.

---

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

- 4. Development Application K99/1682 - Proposed 8 Lot Subdivision of Lot 117 DP 879797 Darlington Drive/Winders Place, Banora Point (Surrounding Lake Kimberley) Bradshaw Developments Pty Ltd DA5937/740 Pt1 & GT1/DCP/3 Pt8**

**1055**

**Cr Polglase**

**Cr Youngblutt**

**RESOLVED** that:-

1. This item be deferred.
2. Council appoints a panel to be party to negotiations with the Bradshaw Group.
3. The panel to consist of two councillors and council officers.
4. A report be prepared for Council consideration.

**Current Status:** To be initiated in the near future.

---

### REPORTS FROM DIRECTOR CORPORATE SERVICES

- 8. Sponsorship for 51st Annual Winter Bowls Carnival 2000**

**Donations**

**1066**

**Cr Marshall**

**Cr Youngblutt**

**RESOLVED** that this donation be deferred and dealt with in February, in accordance with Council's Policy.

**Current Status:** To be dealt with in February.

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## Schedule of Outstanding Resolutions

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### REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

#### 20. Grant - Proposed New Art Gallery

Cultural Development

1080

Cr Boyd

Cr Carroll

**RESOLVED** that Council:-

1. Affirms support for the new art gallery.
2. Advises of its acceptance of the grant of \$100,000.
3. Forms a Subcommittee of four (4) Councillors, the General Manager, Director Environment & Community Services, Manager Environment and Health Services, Art Gallery Director and one (1) representative from the Art Gallery Advisory Committee and the Friends of the Gallery and two (2) representatives of the New Art Gallery Fundraising Committee to explore funding options.
4. Reports back to Council by first meeting in March.

**Current Status:** Meeting arranged for early February.

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## 19 JANUARY 2000

### ITEMS DEFERRED

#### 15. Traffic Impacts of Cobaki Lakes Development on the Distributor Road Network

GB3/21 & GT1/23/4

1129

Cr James

Cr Luff

**RESOLVED** that this item be deferred pending a Workshop being held.

**Current Status:** Workshop arranged for 23 February 2000.

---

### REPORTS FROM DIRECTOR ENGINEERING SERVICES

#### 33. 1999/2000 Street Lighting Program

GS1/2 Pt1 & Streetlighting - Annual Program

1162

Cr Boyd

Cr Carroll

**RESOLVED** that:-

## Schedule of Outstanding Resolutions

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1. This report be received and noted.
2. Council officers investigate the adequacy of lighting options in the front of Murwillumbah Civic Centre.

**Current Status:** To be finalised.

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### REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

15. **Proposed Use of Council Building for Permanent Function Licence - Cabarita Beach Surf Life Saving Club**

**PF4100/30 Liquor Licence**

*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.*

1186

Cr Polglase

Cr Marshall

**RESOLVED** that this item be deferred as there is no legal lease/agreement in place between Council as owner and the surf club as tenant, Council advises that it objects to the proposed licence and requests deferral of the application until such a lease/agreement is in place.

**Current Status:** Awaiting further response from the Cabarita Beach Surf Life Saving Club.

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# Mayoral Minute

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Councillors,

**1. Mayoral Assistant**

**Employment-Job Creation**

I would ask Councillors to make themselves known to my new secretary, Mrs Jan Green, who is available to assist with any secretarial work.

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**2. Olympic Torch**

**Olympic Games**

Congratulations to John Traves, a member of Tweed Shire Council staff (who looks after us so well) for being chosen to carry the Olympic Torch. Well done John! Mother, Margaret (who worked for so many years in the Council) and Father, John, must be very proud.

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**3. Publications and Circulars**

**Councillors**

For Councillor's information, there are often publications and circulars that could be of interest to Councillors. They have been available in the office of the Mayoral Assistant but no Councillor's have made use of them. They will now be located in the special Councillor's Room where they may be more accessible.

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# Mayoral Minute

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# Items Deferred

## ITEM DEFERRED FROM MEETING 19 JANUARY 2000

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

5. *Modification of Development Consent S93/76 - Lot 1 and 2 DP 828298  
Crescent Street, Cudgen - Cudgen Heights Estate Stage 3*

*GS4/93/76 Pt3*

*1132*

*Cr Boyd*

*Cr Beck*

*RESOLVED that this Item be deferred to seek clarification of GST issues.*

**This item is the subject of a further report at Item 4 of the Agenda**

**5. ORIGIN: Subdivision Unit**

**FILE REF: GS4/93/76 Pt3**

**REPORT TITLE:**

**Modification of Development Consent S93/76 - Lot 1 and 2 DP 828298 Crescent Street,  
Cudgen - Cudgen Heights Estate Stage 3**

**SUMMARY OF REPORT:**

An application has been received seeking approval to modify various conditions of Consent S96/76 for the subdivision of the above lots into 89 lots. The modification proposes to amend Conditions 13(vi)(a)(viii) and 40. The modifications involve reducing the 13m wide formation of Crescent Street to 11m and replacing the pedestrian/cycleway underpass (Chinderah Road) with a signalised crossing.

Having regard to the following assessment it is considered that these conditions can be amended appropriately.

**RECOMMENDATION:**

That :-

- A. Development Consent S93/76 be modified as follows:

# Items Deferred

**Condition 13(vi)(a)(viii) to read as follows:-**

Upgrading of Crescent Street from the proposed subdivision north to and including the intersection with Chinderah Road to an 11.0 metre asphaltic concrete seal on a 13.0 metre formation. Construction of 11.0m asphalt seal on an 13.0 metre formation to the full Crescent Street property frontage. Kerb and gutter on an approved alignment along with associated sub-surface drainage systems is to be constructed to the eastern side of Crescent Street to the frontage of Lot 199 on DP 803329.

The developer shall lodge a bond to the value of the estimated cost of the works prior to commencement of construction of Stage 4.

Council may call up the bond to cover the cost of constructing any section of Crescent Street and if necessary the Crescent Street/Chinderah Road intersection.

The timing and nature of these works are to be determined by the Director of Engineering Services following consultation with the Cudgen Progress Association and the Traffic Committee, to ensure that effective and safe traffic movements are achieved.

**Condition 25 to read as follows:-**

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

**Water**

Stage 3A	20 lots @ \$2,900.00	= \$58,000.00
Stage 3B	26 lots @ \$2,900.00	= \$75,000.00
Stage 4	21 lots @ \$2,900.00	= \$60,900.00
Stage 5	22 lots @ \$2,900.00	= \$63,800.00
<b>Total</b>	<b>89</b>	<b>\$257,700.00</b>

**Sewer**

Stage 3A	20 lots @ \$2,380.00	= \$47,600.00
Stage 3B	26 lots @ \$2,380.00	= \$61,880.00
Stage 4	21 lots @ \$2,380.00	= \$49,980.00
Stage 5	22 lots @ \$2,380.00	= \$52,360.00
<b>Total</b>	<b>89</b>	<b>\$211,820.00</b>



## Items Deferred

### Condition 35 to read as follows:-

Pursuant to Section 94 of the Act and the Section 94 contribution plan for West Kingscliff, the following contributions shall be paid prior to release of the linen plan for each stage:

i	Structured Open Space		
	Stage 3A - 20 lots at \$377.88		\$7,557.60
	Stage 3B - 26 lots at \$377.88		\$9,824.88
	Stage 4 - 21 lots at \$377.88		\$7,935.48
	Stage 5 - 22 lots at \$377.88		<u>\$8,313.36</u>
	<b>Total</b>	<b>89</b>	<b>\$33,631.32</b>
ii	Community Facilities		
	Stage 3A - 20 lots at \$211.08		\$4,221.60
	Stage 3B - 26 lots at \$211.08		\$5,488.08
	Stage 4 - 21 lots at \$211.08		\$4,432.68
	Stage 5 - 22 lots at \$211.08		<u>\$4,643.76</u>
	<b>Total</b>	<b>89</b>	<b>\$18,786.12</b>
iii	Cycleway		
	Stage 3A - 20 lots at \$205.86		\$4,117.20
	Stage 3B - 26 lots at \$205.86		\$5,352.36
	Stage 4 - 21 lots at \$205.86		\$4,323.06
	Stage 5 - 22 lots at \$206.86		<u>\$4,550.92</u>
	<b>Total</b>	<b>89</b>	<b>\$18,343.54</b>
iv	Drainage		
	Stage 3A - 1.96 ha at \$9890.10		\$19,384.60
	Stage 3B - 1.92 ha at \$9890.10		\$18,988.99
	Stage 4 - 2.03 ha at \$9890.10		\$20,076.90
	Stage 5 - 2.92 ha at \$9890.10		\$28,879.09
	<b>Total</b>		<b>\$87,329.58</b>
v.	Street Trees		

## Items Deferred

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Stage 3A - 20 lots at \$30.00	\$600.00
Stage 3B - 26 lots at \$30.00	\$780.00
Stage 4 - 21 lots at \$30.00	\$630.00
Stage 5 - 22 lots at \$30.00	\$660.00
<b>Total</b>	<b>\$2,670.00</b>

**Condition 40 to be amended to read as follows:-**

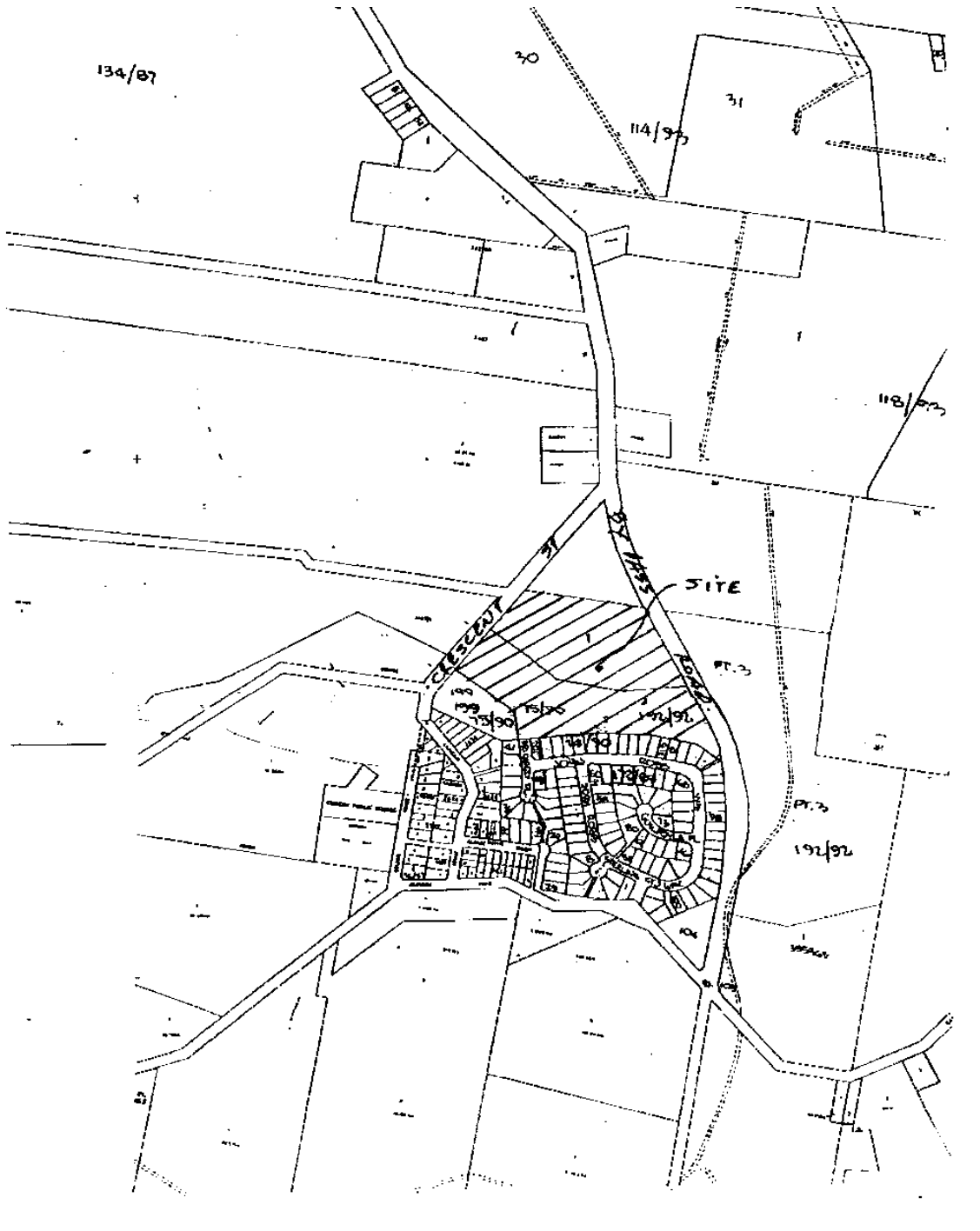
A pedestrian/cycleway crossing shall be constructed across Chinderah Road in accordance with detailed engineering plans which are to be submitted and approved, including any necessary approvals from the Roads and Traffic Authority, prior to work commencing. The pedestrian/cycleway crossing shall be a road underpass or other facility approved by Council.

# Items Deferred

## REPORT:

An application to modify Consent S93/76 for the subdivision of Lots 1 and 2 DP 828298 Chinderah Road, Cudgen into 89 lots has been received. The modification application requests amendment of conditions 13(vi)(a)(viii) and 40 of this consent.

## SITE DIAGRAM



Condition 13(vi)(a)(viii) reads as follows:-

## Items Deferred

*“viii In lieu of upgrading Crescent Street from the proposed subdivision north to and including the intersection with the By-Pass Road, as required by the original consent, the developer shall lodge a bond to the value of the estimated cost of the works prior to commencement of construction of Stage 4 or within 2 years of the date of this modification, whichever occurs first.*

*Council may call up the bond to cover the cost of constructing any section of Crescent Street and if necessary the Crescent Street/Bypass Road intersection.*

*The timing and nature of these works are to be determined by the Director Engineering Services following consultation with the Cudgen Progress Association and the Traffic Committee, to ensure that effective and safe traffic movements are achieved.”*

The applicant requests the modification of this condition for the following reasons:-

*“Condition 13(vi)(a)(viii)*

*The original consent approval of 25 January 1994 required the widening of Chinderah Road/Crescent Street to the ultimate design of 13m kerb to kerb for the southern boundary of the site, Bowen Way intersection through to Cudgen By-pass Road intersection with kerb and gutter for full length on east side, including provision for a bus stop.*

*The amended approval of 24 August 1994 provided in lieu of the original requirements, the developer lodge a bond to the value of the estimated cost of the works prior to commencement of construction of Stage 4 or within two years from 25 August 1994, whichever occurred first.*

*We request that Council review the basis of the condition requiring Crescent Street upgrading to 13.0m kerb to kerb roadway as this width exceeds the requirements of a Residential Collector Street.*

*As discussed at the meeting held on 11 August 1999 between Council’s representatives and Messrs Parker and Mitchell the proposed 11.0m wide formation is in lieu of the previously required 13.0m kerb to kerb upgrading.*

*As this section of Crescent Street operates as a Residential Collector Street (Traffic Volume of 750-3000 vehicles per day) the 11.0m wide formation will be the appropriate standard of road.*

*The parking component of the road width can also be utilised as a Cycleway. As there are no lots fronting Crescent Street there is little likelihood of vehicles parking in this area.*

*The Project Surveyor has confirmed that the road reserve width of Crescent Avenue on our Client’s frontage is 30.18m (with a Road Reserve width taper of 0.57m per 100m as the reserve heads north).*

*This road reserve width will accommodate the proposed open drain as shown on the enclosed drawing no. C2332:01:08.*

## Items Deferred

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*We also request review of the requirement, which we consider unreasonable, that the Developer of Lot 1 on DP 828298 upgrade Crescent Street for the full frontage of Lot 4 on DP 727425 as Crescent Street also provides frontage to Lot 4 on DP 727425 which is not owned by Torrac Investments and also provides access to Cudgen Village and to the extractive/ti tree oil operations to the west.*

*It would be unfair, in our view, to require a bond to the value of the cost of the original condition if the extent of upgrading is ultimately less either because of reduced pavement width or reduced traffic volume due to the closure of access to the Bypass Road.*

*As discussed at our 11 August 1999 meeting, the extent of upgrading of Crescent Street, including whether access will be terminated either south of the un-named road opposite the northern boundary of the subject site or south of Bowen Way intersection, is undecided.*

*These decisions have an impact on the value of the road works and we seek a resolution on the matter such that the extent of work/bond value can be fairly and reasonably determined”.*

Condition 40 reads as follows:-

*“40. A pedestrian/cycleway underpass shall be provided across Cudgen By-pass Road adjacent to the proposed park. The underpass shall be constructed in accordance with detailed engineering plans which are to be submitted and approved prior to work commencing. Implementation of this condition shall be deferred until the final zoning and disposition of the land to the east is determined.”*

The applicant requests the modification to this condition for the following reasons:-

“Condition 40

*This condition requires construction of a pedestrian/cycleway under the Bypass Road.*

*Attached please find our estimate of cost of constructing the underpass.*

*As discussed with you we consider it unreasonable that Torrac should have to bear entirely the very substantial cost of \$288,127 of this piece of infrastructure which will benefit a much wider population than the subject development.*

*In addition it is likely there will be considerable on-going costs to Council having regard to maintenance issues such as continual pumping to ensure water in the underpass does not render it unusable.*

*In lieu of the underpass we suggest a signalised road crossing at the north-eastern boundary of Lot 1 DP 828298 as per the attached plan C2332:SK:CP.*

*The proposed crossing is in a location better suited to all potential users as it is at the bottom of the catchment, thus residents from the subject land would not have to back track (ie. ride/walk south) to go north”.*

## Items Deferred

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The application was advertised for a period of 14 days and adjoining owners notified. A total of 4 submissions of objection were received. The details of these submissions will be discussed in the consultation section of this report.

At Council's meeting on 17 August 1994 Council resolved to modify the consent to reduce the number of lots from 96 to 89. However, the relevant conditions requiring contributions were not amended to reflect the reduced number of lots. It is therefore proposed that this anomaly be corrected as part of this application.

### CONSULTATION

The proposal was advertised and adjoining property owners notified and four (4) submissions of objection were received and are summarised below.

- **Chinderah Road carries a high volume of traffic and an underpass is the only safe option**

#### Comment

The latest traffic count for Chinderah Road is 9273 vehicles per day (23/6/99). Traffic growth predictions for Chinderah Road warrant that a safe pedestrian/cycle crossing be provided. Other than a underpass there are two viable alternatives. One is the construction of an overpass. The construction of an overpass would require compliance with the NAASRA bridge design code and also needs to be aesthetically acceptable.

The Roads and Traffic Authority have authority over any signalised road crossing. Any approval would be subject to the applicant obtaining approval from the RTA for the locality of, and timing sequences of the lights.

- **If a signalised crossing were approved the volume of traffic using Crescent Street would increase to avoid two (2) sets of lights along Chinderah Road. Should this occur the request to modify the upgrading of Crescent Street should not be supported**

#### Comment

Council's Subdivision Engineer has advised that the provision of traffic lights on Chinderah Road would limit the capacity of Chinderah Road. "Rat running" would also be encouraged down Crescent Street to avoid the pedestrian lights.

Further increases in traffic volumes down Crescent Street will increase the risks of accidents and will also be contrary to the wishes of the local residents. The poor geometry of Crescent Street is not suited for additional traffic. It is narrow, winding, has blind corner, concealed driveways and the terrain is steep on both sides with no footpath.

- **Council needs to confirm the proposed modifications to the intersection of Crescent Street and Bowen Way to restrict estate and through traffic from going up the hill (Crescent Street) through the Village**

#### Comment

## Items Deferred

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The current approved plans provide that no left turn can be made from Bowen Way onto Crescent Street. The modifications do not propose to change this. Accordingly, traffic from the proposed estate (Bowen Way) will be restricted from using Crescent Street through the Village.

- **North Crescent Street should be upgraded to 20m wide to comply with Council's own collector road stipulations**

### Comment

Council's Subdivision Engineer has advised that narrowing the 13m road requirement in Crescent Street to 11m would not effect current traffic as the measured traffic volumes were 421 vehicles per day.

Egress from the existing residential area which was created in previous stages of Cudgen Heights is currently via John Robb Way to Cudgen Road. Once the road to Crescent Street is constructed traffic patterns will change. The original traffic model does not detail local traffic movements. Vehicles travelling north would find the shortest route is via Crescent Street. This includes those vehicles leaving from the earlier stages of Cudgen Heights. Using a trip generation of 9 trips per dwelling per day (source: "Guide to Traffic Generating Developments", RTA), the estimated ultimate traffic generated from Cudgen Heights is 3696 vehicles per day. Should only half of the vehicles exit south via John Robb Way then the remainder would travel north, 1848 vehicles per day. Add to this local traffic and the vehicles that use Crescent Street as a short cut and Crescent Street traffic volumes will exceed 2200 vehicles per day.

In regards to the traffic volume the construction of an 11.0 metre asphalt seal on a 13.0m metre formation is considered satisfactory.

- **Crescent Street should not be a collector road to divert traffic onto it**

### Comment

See comment above.

- **Crescent Street should be closed as per the requirements of Development Control Plan No. 9- Kingscliff West**

### Comment

The proposal is merely to modify a condition which requires Crescent Street to be 13m wide and reduce this to 11m which appears to be acceptable as discussed above.

The issue of whether or not Crescent Street should be closed was addressed in a previous report to Council's meeting of 3 August 1994. This report was in relation to proposed modifications to Consent S96/76 also.

An extract from this report is as follows:-

*"The current modification application and the issues identified by objectors again raises the vexed question of the appropriate Traffic Management measures for this locality. This issue was canvassed at length during the preparation of Development Control Plan No. 9*

## Items Deferred

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*(DCP9) and prior to its adoption and again in the report on the original development application for this subdivision.*

*In this regard, the following points are relevant:*

- 1. DCP9 (West Kingscliff) designates Crescent Street as a Collector Road from the northern boundary of the subject land to Cudgen Road. The DCP also provides for closure of Crescent Street north of the proposed subdivision with residents of Crescent Street to be advised when the street is to be closed.*
- 2. Stages 1 and 2 (ie. Existing Cudgen Heights Estate) were approved with Pritchard Place extending to the subject land with the clear intention that there would be a traffic connection via John Robb Way to Cudgen Road.*
- 3. Clause 18 of the Section 94 Plan for West Kingscliff provides that:*

*“Upgrading of the southern part of Crescent Street to collector road standard will be required as a condition of consent for any development of the land. The residential zoned land north of Cudgen heights is in one ownership and that owner will be responsible for the total cost of upgrading”.*

*Following discussions with Council officers the applicant is prepared to upgrade Crescent Street from the proposed subdivision south provided that the variation does not involve a financial commitment any greater than that under the consent as it currently stands.*

*This alternative is considered to be appropriate (having regard to the DCP and the Section 94 Plan) provided that Crescent Street is in fact closed following release of the linen plan for the first stage of the development. If Crescent Street is not closed following release of the first stage, traffic is more likely to travel north along Crescent Street, thus warranting upgrading of that section of road and the intersection with the Bypass Road as required by the current consent.*

*On balance, it is considered that the alternative is the most appropriate option, particularly given traffic safety considerations at the intersection of Crescent Street/Bypass Road. However, it is acknowledged that some loss of amenity will result to residents of Crescent Street south of the subject land”.*

Further to this matter the following report was put to Council at their meeting on 17 August 1994.

### ***“Modification of Development Consent S93/76 - Cudgen Heights Estate - Stages 3 to 5***

#### ***Summary of Report***

*Following discussions with the developer agreement has been reached on the alternative amended condition 13vi(a)(viii) as proposed by Councillor Cooper. The amended condition is therefore included in the following recommendation in relation to the modification application.*



## Items Deferred

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### **Report**

*As indicated in the report in relation to item 37 of the business paper, a meeting was held on 12 August 1994 between the Developer (Mr Mike Kelly) and Council officers to discuss the alternative amended condition 13vi(a)(viii) proposed by Councillor Cooper at Council's meeting on 3 August 1994.*

*Mr Kelly agrees with the alternative condition, but the timing of lodgement of the bond is of concern to him. Ideally, the bond should be lodged prior to release of the linen plan for Stage 3A. However, Mr Kelly has indicated during recent meetings that the early stages of the development are only marginally viable because of the high cost of filling and providing initial infrastructure. He therefore strongly requests that lodgement of the bond be deferred until the later stages of the development.*

*Stages 3A and 3B (total 51 lots) can be accessed from Pritchard Place and therefore there is no practical need to contract the proposed junction in Bowen Way/Crescent Street until, say, Stage 4. As this will preclude traffic using Crescent Street (and therefore the need to upgrade it) until Stage 4 is developed it is considered reasonable to defer lodgement of the bond until prior to commencement of construction of Stage 4. This arrangement will provide the developer with the cash flow from Stages 3(a) and 3(b) to assist in funding the bond.*

### **Review of Development Control Plan No. 9 - West Kingscliff**

*Section 3.0 of Development Control Plan No. 9 (DCP9) indicates that residents of Crescent Street are to be notified when that street is to be closed.*

*The DCP also provides for a road link from this subdivision to Crescent Street.*

*In view of the continuing concerns within the community in relation to the implications of closing Crescent Street it is proposed that a draft amendment to the DCP be prepared and publicly exhibited which deletes the closure clause and the requirement for a road link from this subdivision to Crescent Street.*

*This process will again allow all interest groups to comment on the issue prior to Council taking a final decision such that certainty in terms of traffic management/planning in this area”.*

At that meeting Council resolved as follows:-

**“RESOLVED** that Council investigate the installation of traffic facilities at the intersection of Crescent Street and Bowen Way to prevent left-hand turns from Bowen way into Crescent Street and to prevent right-hand turns from Crescent Street into Bowen Way.”

### **Environment and Community Services Division Comments**

No objections raised to the proposal.

## Items Deferred

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### Engineering Services Division Comments

No objections raised to the proposal. The recommendation of the Subdivision Engineer are endorsed.

### Development Services Division Comments

Council's Subdivision Engineer has assessed the proposed modifications and has provided the following comments:-

*"It is proposed to amend the requirements of condition 13 (vi)(a)(viii) and condition 40.*

#### **Condition 13(vi)(a)(viii)**

*The consent condition 13 (vi)(a)(viii) states*

*"viii In lieu of upgrading Crescent Street from the proposed subdivision north to and including the intersection with the By-Pass Road, as required by the original consent, the developer shall lodge a bond to the value of the estimated cost of the works prior to commencement of construction of Stage 4 or within 2 years of the date of this modification, whichever occurs first.*

*Council may call up the bond to cover the cost of constructing any section of Crescent Street and if necessary the Crescent Street/Bypass Road intersection.*

*The timing and nature of these works are to be determined by the Director of Engineering Services following consultation with the Cudgen Progress association and the Traffic Committee, to ensure that effective and safe traffic movements are achieved."*

*The date of the amended consent was 25/8/94 and the amount for the estimated cost of the works to upgrade Crescent Street has not been lodged with Council by the applicant .*

### **Traffic**

*Narrowing of the 13 metre road requirement in Crescent Street to 11 m would not effect current traffic as the measured traffic volumes were 421 vehicles per day (10/2/1998).*

*Egress from the existing residential area which was created in previous stages of Cudgen Heights is currently via John Robb Way road to Cudgen Road.*

*Once the road to Crescent Street is constructed traffic patterns will change.*

*The original traffic model does not detail local traffic movements.*

*Vehicles travelling north would find the shortest route is via Crescent Street. This includes those vehicles leaving from the earlier stages of Cudgen Heights.*

*Using a trip generation of 9 trips per dwelling per day (source: "Guide to Traffic Generating Developments", RTA), the estimated ultimate traffic generated from Cudgen Heights is 3696 vehicles per day. Should only half of the vehicles exit south via John Robb Way then the remainder would travel north, 1848 vehicles per day. Add to this local traffic*

## Items Deferred

*and the vehicles that use Crescent Street as a short cut and Crescent Street traffic volumes will exceed 2200 vehicles per day.*

*In regards to the traffic volume the construction of an 11.0 metre asphalt seal on a 13.0 metre formation is considered satisfactory.*

### **Civil Road Works**

*The original consent required "Reconstruction to provide for Bus Stop bay." A 13.0 metre road would permit a bus bay on the western side of Crescent Street to service the local residents, however if this was to be reduced to 11.0 metres then the provision of a bus bay on the western side of the road is required.*

*On plan C2332:01:08 dated 19/8/99 it is proposed to construct a table drain on the western side of Crescent St. A conflict in area usage would occur between the proposed open drain and a bus stop.*

*A footpath area on the eastern side of Crescent St is not shown. The table drain is shown to be 0.3 metres deep however at 0.3% fall it ends up being 0.75 metres deep at the northern end of the property resulting in batters of 1 in 2.3 which is not trafficable and cannot be easily maintained. Condition 13 ix of the consent states:-*

*"13 ix A section 88B restriction shall be imposed on lots 43 to 50 prohibiting direct vehicular access to Crescent Street. A table drain shall be provided in Crescent Street to the frontages of lots 43 to 50 including landscaped movable batters and a concrete invert drain."*

*The applicant claims there is little likelihood of vehicles parking on the eastern side of Crescent Street and suggests that it could be utilised as a cycleway. Nevertheless this generates a conflict between parking and cycling usage, which is sufficient grounds for objection.*

*The applicant proposes to have a table drain on the eastern side of Crescent Street and a larger open drain on the western side of Crescent Street however this does not provide an area wide enough to accommodate future services or a pedestrian footpath. On this basis the proposal is objected to.*

*The applicants submitted plan C2332:01:08 appears to have a typographical error on it where it shows the centre concrete traffic island as "1500mm high".*

### **Condition 40**

*The consent conditions 40 states*

*"40. A pedestrian/cycleway underpass shall be provided across Cudgen By-pass Road adjacent to the proposed park. The underpass shall be constructed in accordance with detailed engineering plans which are to be submitted and approved prior to work commencing. Implementation of this condition shall be deferred until the final zoning and disposition of the land to the east is determined."*

## Items Deferred

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*The provision of traffic lights on Chinderah Road would limit the capacity of Chinderah Road. "Rat running" would also be encouraged down Crescent Street to avoid the pedestrian lights. Further increases in traffic volumes down Crescent Street will increase the risks of accidents and will also go against the wishes of local residents. . The poor geometry of Crescent Street is not suited for the carrying of additional traffic. It is narrow, winding, has blind corners, concealed driveways and the terrain is steep on both sides with no footpath.*

*The latest traffic count for Chinderah Road is 9273 vehicles per day (23/6/99). Traffic growth predictions for Chinderah Road warrant that a safe pedestrian/cycle crossing is provided. It was previously acknowledged that there are some practical problems involved with the construction of the underpass including the high water table and the need for a permanent stormwater pumpout arrangement.*

*In lieu of constructing an underpass there are two viable alternatives. One is a signalised crossing and the other is the construction of an overpass. The construction of an overpass would require compliance with the NAASRA bridge design code and also to be aesthetically acceptable.*

*The Roads and Traffic Authority have authority over any signalised road crossing. Any approval would be subject to the applicant obtaining approval from the RTA for the locality of, and the timing sequences of the lights.*

*There is a considerable volume of water which travels down the Chinderah Road table drain, Q100 varies from 4.7 to 7.74 cubic metres per second depending on the amount of blockage to the upstream pipes. Q5 is approximately 0.9 cubic metres per second. The invert of the underpass would be approximately RL- 0.33 whereas the invert of the existing table drain is approx. RL +0.4. The stormwater flow is to be diverted away from the underpass so that it is not frequently inundated.*

*The submitted "preliminary engineers estimate" does not include drawings to show how the design of the underpass is to integrate with the stormwater layout or what happens to the sewer rising main.*

*In relation to the location of the proposed signalised pedestrian crossing the applicants engineer submits that "residents from the subject land would not have to back track (ie ride/walk south) to go north." The approved consent plan shows egress points at Bowen Way, beside lot 20 and the park. The desirable travelling path for pedestrians and cyclists would be from the park, across Chinderah road and heading in a straight north-northeast direction towards Bellbird Street.*

*The plan C2332.SK.CP Sept 1999 shows a pedestrian cycleway within the drainage reserve. The travel path would appear to be from the estate egress points to the proposed signalised crossing then head east. This is a much longer travel path for people from the eastern side of the estate and accordingly the traffic lights would be unlikely to be utilised as they are too far away. Positioning of the traffic lights in this location however does suit the Chinderah Road traffic as it is on a relatively flat grade and not at the bottom of the hill, which is where the current underpass location is shown.*

## Items Deferred

*Civil engineering considerations include; how the alignment or grade of the footpath is to overcome the 2.0 metres height difference between Chinderah road and the estate, and how the footpaths cross over the open drains.*

*The applicants engineers have not nominated any egress points for pedestrians/cyclists to the north of the Estate and there is a strong likelihood that the lot layout would need to be revised to accommodate any new pathways. Under the existing lot layout the pedestrians/cyclists would be required to travel up Crescent Street or Chinderah road. This creates the need to have footpaths, retaining structures and pedestrian fencing to be constructed to the traffic lights from the existing egress points. The approximate cost of 230m of a 1.5m high (min) retaining wall + 620m of footpath + barrier fencing etc. needs to be considered in relation to the signalised crossing proposal. If the traffic lights are to be approved then they should be conditioned that a concrete footpath be constructed along the proposed drainage reserve, Crescent Street, and along Chinderah Road for the full property frontage to the estates egress points. This is to include any barrier fencing and retaining walls required.*

*It is noted that the existing consent does not directly condition that a concrete footpath be constructed down to the underpass.*

### **Recommendation**

*Consent condition 13(vi)(a)(viii) be modified as follows:-*

*13(vi)(a)(viii) Upgrading of Crescent Street from the proposed subdivision north to and including the intersection with Chinderah Road to an 11.0 metre asphaltic concrete seal on a 13.0 metre formation. Construction of 11.0 m asphalt seal on an 13.0 metre formation to the full Crescent Street property frontage. Kerb and gutter on an improved alignment along with associated sub-surface drainage systems is to be constructed to the eastern side of Crescent Street to the frontage of lot 199 on DP 803329.*

*The developer shall lodge a bond to the value of the estimated cost of the works prior to commencement of construction of Stage 4.*

*Council may call up the bond to cover the cost of constructing any section of Crescent Street and if necessary the Crescent Street/Chinderah Road intersection.*

*The timing and nature of these works are to be determined by the Director of Engineering Services following consultation with the Cudgen Progress association and the Traffic Committee, to ensure that effective and safe traffic movements are achieved.*

*Consent condition 40 be modified as follows:-*

*40. A pedestrian/cycleway crossing shall be constructed across Chinderah Road in accordance with detailed engineering plans which are to be submitted and approved, including any necessary approvals from the Roads and Traffic*

## Items Deferred

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*Authority, prior to work commencing. The pedestrian/cycleway crossing shall be a road underpass or other facility approved by Council.*

### CONCLUSION

It is considered that the proposed modifications are generally satisfactory and the consent should be modified appropriately.

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## Items Deferred

7. *Proposal to Increase the Output at the CSR Readymix Quarry at Lot 1 DP 792256 Terranora Road, Terranora*

*PF5430/1443 Pt2*

*1134*

*Cr Luff*

*Cr Polglase*

*RESOLVED that this item be deferred to allow a report to be brought forward on contributions received from CSR Quarry operations.*

**This item and the following item are the subject of a further report at Item 2 of this Agenda**

**7. ORIGIN: Development Control Unit**

**FILE REF: PF5430/1443 Pt2**

**REPORT TITLE:**

**Proposal to Increase the Output at the CSR Readymix Quarry at Lot 1 DP 792256 Terranora Road, Terranora**

**SUMMARY OF REPORT:**

In December 1996 Council considered a report on a proposal to increase the output from CSR Readymix quarry at Terranora. Council resolved to issue a consent for the proposal once a Deed of Agreement has been entered into for the payment of contributions. This deed has not been entered into and therefore the consent has not been issued. The applicant has advised that the life of the quarry has been reduced from that which was previously included in the application and the applicant is therefore requesting that conditions relating to intersection upgrading and payment of contributions be removed. The development application was readvertised and a number of submissions received. It is considered appropriate to modify the conditions as requested by the applicant.

**RECOMMENDATION:**

That :-

- A. The applicant be advised that it is Council's intention to determine the application 96/322 by way of a Deferred Commencement consent as outlined in "B" below including the conditions and subject to CSR Limited entering into a "Deed of Agreement" with Council requiring payment of the following contribution:-
- i. The payment of \$13,355 towards the provision of passing lanes.
- B. Subject to "A" above, the development application for the increase in output from the quarry at Lot 1 DP 792256 Terranora Road, Terranora be approved by way of a "Deferred Commencement" consent subject to the following conditions.

## Items Deferred

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### **Deferred Commencement Consent**

This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule "A". Such evidence is to be provided within 3 months of the date of this notification.

Upon the consent authority being satisfied as to compliance with the matters set out in Schedule "A" the consent shall become operable and take effect from the date of notification under Section 92 of the Environmental Planning and Assessment Act, 1979 subject to the conditions set out as Schedule "B".

### **Schedule "A"**

Conditions imposed pursuant to Section 91AA of the Environmental Planning and Assessment Act, 1979 (unamended):-

1. A detailed quarry "plan of management" is to be submitted and approved by the Director Development Services and the Director Environment & Community Services including but not limited to the following:-
  - (a) The matters contained in Chapter 10 and Section 7.3.2 of the Environmental Impact Statement.
  - (b) Measures to notify residents in the locality before blasting. A list of residents potentially affected by blasting is to be submitted to the Director of Environment and Community Services. These residents are notified by telephone by the quarry operators at least 24 hours prior to each blast. Notification can cease at the request of the resident.
  - (c) An acoustic report is to be submitted to the Director of Environment and Community Services demonstrating that the recommended extreme limit as contained in the Environment Protection Authority guidelines, will not be exceeded, or written concurrence from the Environment Protection Authority (EPA) be submitted approving exceedance of recommended acceptable noise levels. Monitoring of noise levels is to be continued to be carried out at 3 month intervals and results are to be reported to Council and the EPA.
  - (d) Methods of monitoring of noise, dust, vibration and blast overpressure. An additional gauge to measure dust is to be provided at Residence 1 if agreed by the owner.
  - (e) A requirement that ground vibration, blast overpressure and dust emissions are to meet the Environment Protection Authority guidelines. Results are to be reported to Council and the Environment Protection Authority every six months.
  - (f) A requirement that any complaints are reported to the Environment Protection Authority.



## Items Deferred

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- (g) A detailed rehabilitation plan.
- (h) Methods of self compliance with speed limits and what will be done if drivers/contractors do not comply.
- (i) A requirement that the operators of the quarry are to cease operations during times of high wind speed as quantified by calculations using the results of dust deposition monitoring during varying wind speeds and directions.

### “Schedule B”

1. The development is to be completed generally in accordance with the Environmental Impact Statement prepared by Kinhill Cameron McNamara and dated July 1996 and the Plan of Management except where varied by these conditions.
2. All items in the Plan of Management are to be implemented immediately.
3. Compliance with all requirements of development consent 88/372 except where varied by these conditions.
4. The maximum annual extraction rate of material to be removed from the site is 350,000 tonnes per annum. Details of the amount of material extracted is to be submitted to Council every 3 months.
5. Compliance with all requirements of Council’s Environment & Community Services Division, specifically including the following:-
  - (i) The Plan of Management is to be implemented by the operators of the quarry and the procedures set out in the Plan are to be followed accordingly.
6. Compliance with all requirements of Council’s Engineering Services Division, specifically including the following:-
  - (i) Truck warning signs on Terranora Road either side of the access are to be displayed.
  - (ii) Upgrading of the existing intersection generally in accordance with Plan No. 97569 prepared by Bornhorst and Ward. The plan is to be amended and resubmitted to Council prior to commencing work including:-
    - \* guard rails being installed with RTA specifications;
    - \* all linemarking, including pavement arrows, are to be marked in accordance with RTA requirements;
    - \* the “Trucks Entering” warning signs are to be erected 100m on both sides of the intersection.
  - (iii) Where the construction work is on or adjacent to public roads, parks and drainage reserves and the development shall provide and maintain all

## Items Deferred

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- 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.
- (iv) The owner or contractor must not undertake any work within the public road reserve without giving Council's Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.
  - (v) 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 release of any linen plan of subdivision and/or prior to occupation of the buildings.
7. Compliance with all soil conservation and rehabilitation works contained in the Plan of Management.
  8. All amendments or modifications to the Plan of Management for the site are to be approved by the Director Development Services.
  9. Compliance with all requirements of the Environment Protection Authority.
  10. The operating hours of the quarry may only exceed the hours recommended in the EPA Noise Control Manual if written concurrence from the EPA is obtained and submitted to Council.

## Items Deferred

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### REPORT:

#### BACKGROUND/PROPOSAL

**Applicant:** CSR Limited  
**Owner:** Sellars Holdings Ltd  
**Location:** Lot 1 DP 792256 Terranora Road, Terranora  
**Zoning:** 1(a) Rural

Council, at its meeting of 18 December 1996, considered a report on a development application which proposed to increase the output at CSR Readymix Quarry. CSR Limited currently has consent to extract and remove up to 200,000 tonnes of material from the site per annum and the development application considered by Council seeks consent to increase the output to a maximum of 350,000 tonnes per annum. The 200,000 tonne limit has been exceeded since 1995 and a separate report on this matter is being considered in the confidential agenda. The proposal does not involve any changes to the location of or sequence of extracting material. No changes are proposed to the method of rock extraction, processing, handling or cartage. A copy of the report on the development application is provided as an Attachment to the Business Paper. At the meeting of 18 December 1996, Council resolved:-

*“RESOLVED that :-*

- A. *The applicant be advised that it is Council’s intention to determine the application 96/322 by way of a Deferred Commencement consent as outlined in “B” below including the conditions and subject to the applicants entering into a “Deed of Agreement” with Council requiring payment of the following contributions:-*
- (i) *Payment of a road maintenance contribution levy of 2.5 cents per tonne of material removed from the site by road transport per kilometres travelled from the Quarry to the site of delivery (2.5c/tonne/km) as a contribution towards the cost of maintaining the local road network. This levy will be increased annually at a rate equivalent to the New South Wales CPI rate of increase.*
- The levy payment is to be made on a quarterly basis (3 months) and must include suitable documentary evidence relating to the quantity of material removed and the distance hauled.*
- (ii) *Payment of a contribution of \$40,068 towards the provision of passing lanes on Terranora Road.*
- B. *Subject to “A” above, the development application for the increase in output from the quarry at Lot 1 DP 792256 Terranora Road, Terranora be approved by way of a “Deferred Commencement” consent subject to the following conditions.*

#### **Deferred Commencement Consent**

*This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule “A”. Such evidence is to be provided within 3 months of the date of this notification.*

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*Upon the consent authority being satisfied as to compliance with the matters set out in Schedule "A" the consent shall become operable and take effect from the date of notification under Section 92 of the Environmental Planning and Assessment Act, 1979 subject to the conditions set out as Schedule "B".*

### **Schedule "A"**

#### **Conditions imposed pursuant to Section 91AA of the Environmental Planning and Assessment Act, 1979 as amended:-**

1. *A detailed quarry "plan of management" is to be submitted and approved by the Director Development Services and the Director Environment & Community Services including but not limited to the following:-*
  - (a) *The matters contained in Chapter 10 and Section 7.3.2 of the Environmental Impact Statement.*
  - (b) *Measures to notify residents in the locality before blasting. A list of residents potentially affected by blasting is to be submitted to the Director of Environment and Community Services. These residents are notified by telephone by the quarry operators at least 24 hours prior to each blast. Notification can cease at the request of the resident.*
  - (c) *An acoustic report is to be submitted to the Director of Environment and Community Services demonstrating that the recommended extreme limit as contained in the Environment Protection Authority guidelines, will not be exceeded, or written concurrence from the Environment Protection Authority (EPA) be submitted approving exceedance of recommended acceptable noise levels. Monitoring of noise levels is to be continued to be carried out at 3 month intervals and results are to be reported to Council and the EPA.*
  - (d) *Methods of monitoring of noise, dust, vibration and blast overpressure. An additional gauge to measure dust is to be provided at Residence 1 if agreed by the owner.*
  - (e) *A requirement that ground vibration, blast overpressure and dust emissions are to meet the Environment Protection Authority guidelines. Results are to be reported to Council and the Environment Protection Authority every six months.*
  - (f) *A requirement that any complaints are reported to the Environment Protection Authority.*
  - (g) *A detailed rehabilitation plan.*
  - (h) *Methods of self compliance with speed limits and what will be done if drivers/contractors do not comply.*

## Items Deferred

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- (i) *A requirement that the operators of the quarry are to cease operations during times of high wind speed as quantified by calculations using the results of dust deposition monitoring during varying wind speeds and directions.*

### **“Schedule B”**

1. *The development is to be completed generally in accordance with the Environmental Impact Statement prepared by Kinhill Cameron McNamara and dated July 1996 and the Plan of Management except where varied by these conditions.*
2. *All items in the Plan of Management are to be implemented immediately.*
3. *Compliance with all requirements of development consent 88/322 except where varied by these conditions.*
4. *The maximum annual extraction rate of material to be removed from the site is 350,000 tonnes per annum. Details of the amount of material extracted is to be submitted to Council every 3 months.*
5. *Compliance with all requirements of Council’s Environment & Community Services Division, specifically including the following:-*
  - (i) *The Plan of Management is to be implemented by the operators of the quarry and the procedures set out in the Plan are to be followed accordingly.*
6. *Compliance with all requirements of Council’s Engineering Services Division, specifically including the following:-*
  - (i) *Truck warning signs on Terranora Road either side of the access are to be displayed.*
  - (ii) *Upgrading of the existing access to an AUSTRROADS Type C intersection in accordance with AUSTRROADS Part 5 Guide to Traffic Engineering Practice within 3 months of the consent coming into effect. Detailed design plans are to be submitted and approved by the Director Engineering Services prior to construction. The design is also to include the provision of 160m of entering sight distance in either direction along Terranora Road.*
  - (iii) *Where the construction work is on or adjacent to public roads, parks and drainage reserves and 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.*
  - (iv) *The owner or contractor must not undertake any work within the public road reserve without giving Council’s Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.*

## Items Deferred

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- (v) *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 release of any linen plan of subdivision and/or prior to occupation of the buildings.*
- 7. *Compliance with all soil conservation and rehabilitation works contained in the Plan of Management.*
- 8. *All amendments or modifications to the Plan of Management for the site are to be approved by the Director Development Services.*
- 9. *Compliance with all requirements of the Environment Protection Authority.*
- 10. *The operating hours of the quarry may only exceed the hours recommended in the EPA Noise Control Manual if written concurrence from the EPA is obtained and submitted to Council."*

The applicant and Council has never entered into the Deed required by Part A(i) of the resolution which was delayed in part by negotiations with all quarry operators to determine the most practical and equitable way of providing for road maintenance contributions. The result of the negotiations was an amendment to Section 94 Plan No. 4 - Tweed Road Development Contribution Plan whereby the heavy haulage contribution is levied on the destination development rather than the quarry operators.

When the development application was originally advertised the application included an estimate that the quarry life was approximately 7 years based on the proposed extraction rate (July 1996). A request was received in August 1999 to amend the yet undetermined development application as the applicant believes that the quarry life is now approximately 2-2½ years. A copy of the request is produced below:-

*"This correspondence represents a formal request to amend the as yet undetermined development application for the abovementioned site.*

*The amendment is to reflect revised operational circumstances which, in our opinion, materially affect Council's determination of the application and in particular, the conditions.*

### **Circumstances**

*From an expected 12 years of life (dependent upon agreement with and acquisition of neighbours land) at the time the application was put to the Council, the company believes that there now remains approximately 2-2.5 years life in the quarry as no further reserves are available to CSR. This obviously means that the level of intensity and impacts external to the site are substantially reduced and that opportunities to rehabilitate the site may come to fruition at an earlier time.*

## Items Deferred

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### *Formal Request*

*The Council is asked to modify conditions A(i) and (ii) and Schedule B 6(ii)-(v) as outlined in the letter of December 1996. The basis for our request is as follows.*

### Road Maintenance Contribution

*The company is aware that a contribution levy has been set industry wide involving actual quantities extracted from a site. We believe it is in the Council's interests and indeed the company's interest to participate in that agreement and we request the contribution be varied accordingly. We acknowledge this will involve a contribution rate of less than 2.5 cents per tonne of material removed.*

### Passing Lanes on Terranora Road

*Because of the shortened life of the quarry and the substantially reduced impacts external in terms of traffic, traffic safety and amenity we believe that a contribution substantially less than the \$40,068 requested would be warranted.*

*We ask Council to recognise that the quarry has been operating in a satisfactory way for some considerable time. Indeed the company prides itself on its relationship with the neighbours and the skill and courteousness of its truck drivers. We anticipate and look forward to a positive reduction of this amount.*

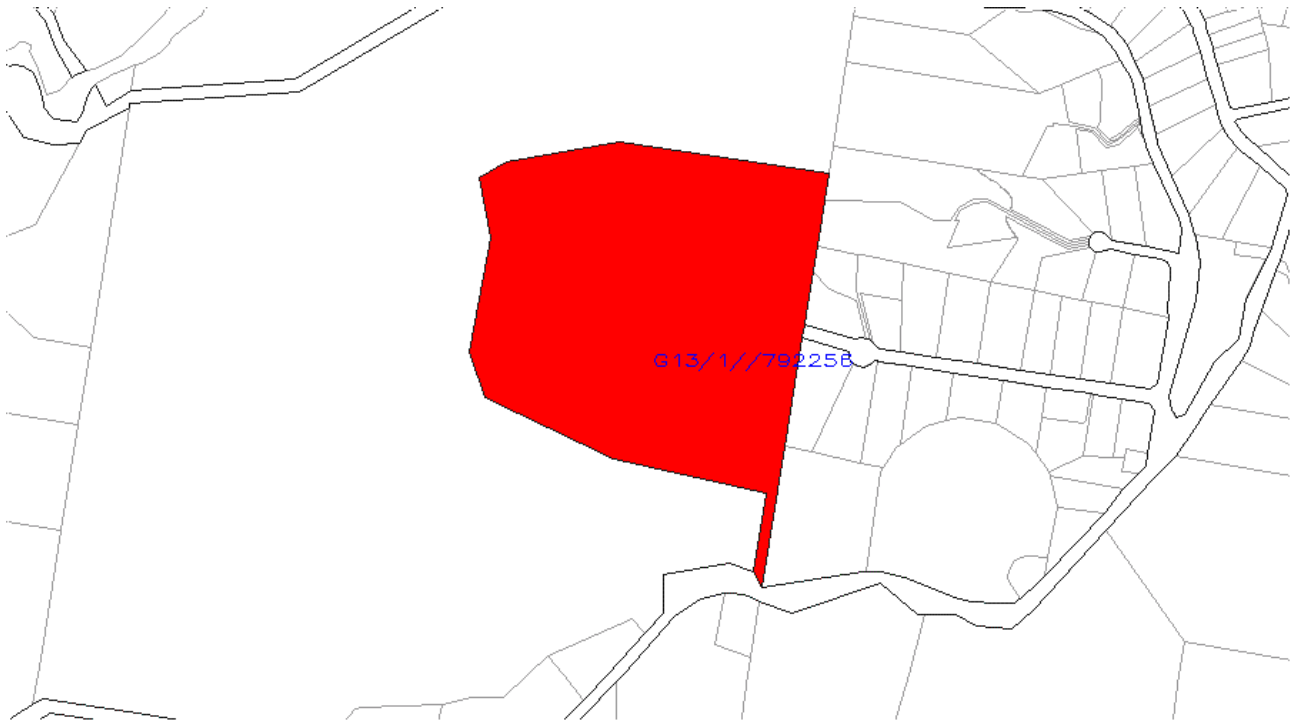
### Intersection Standards at the Entrance to the Quarry

*The entrance to the quarry is a combined entrance between Council's quarry and the company's quarry. We believe the standard requested by RTA should be at least equitably shared by the two organisations. We also believe that the intersection required, having regard to the shortened life of the quarry, the low turnover of activity currently experienced and experienced now for some time, does not necessitate the type of intersection proposed. The intersection has operated on a safe basis for some considerable time and a reduction in the standard of intersection is formally requested".*

As a result of this request the application was readvertised and submissions received from individuals and government authorities. Details of these submissions will be outlined in the "consultation" section of this report.

## Items Deferred

### Site Diagram



### CONSULTATION

The amended application was advertised for 30 days and 7 individual submissions were received and responses from government authorities also provided. A summary of the issues raised in the submissions is provided below. It should be noted that most of the issues raised were also raised in the original advertising and assessment of the application and were addressed in the report to Council on 18 December 1996. As the output or operations of the quarry proposed in the amended application are no different to that previously considered by Council, where appropriate, reference will be made to the previous report.

#### 1. Traffic/Road

The main concerns raised in the submissions were regarding the increase in traffic and its effect on vehicle and pedestrian safety and noise generation and vibration. In addition, the likely degradation of Terranora Road was raised as an issue and suggestions were also made that traffic should be diverted to Tumbulgum Road rather than the current route to the east to the Highway. A number of submissions made reference to the trucks speeding. One submission also made specific suggestions as to improvements that could be made to intersections, speed limits and signage along Terranora Road which has previously been reviewed by the Local Traffic Committee and rejected.

#### Comments

These issues were previously considered by Council in the determination of the application and have been addressed in Section 90(h)(i)&(j) of the previous report. Additionally, the new



## Items Deferred

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submissions have been reviewed by the Engineering Services Division and the following conclusion made:-

*“Most of the above problems exist currently. The proposal increases the heavy vehicles and total traffic volume, however, this is still below the road’s capacity. Many submissions relate to an unreal expectation that urban facilities such as footpaving and cycleways, and kerb and gutter, will be provided in a rural area even though these facilities have never been in or committed to such a road.*

*All issues raised that relate to the development application have been addressed and these issues raised do not justify refusal as there is not solid evidence or any problems such as accident rates involving trucks”.*

As the proposal does not alter the traffic volume from the original proposal which Council has already resolved to approve, it is considered that the amendment to refer to the quarry life being 2-2.5 years is more beneficial to local residents than the previous advertised applications as the effects will be over a shorter period of time.

### **2. Blasting**

A number of submissions raised concerns regarding blasting impacts and that the quarry operations do not notify when blasting will occur. This matter was addressed in the previous report to Council and appropriate conditions placed on the recommended consent.

### **3. Visual impacts, dust, lifestyle impacts**

Again, these matters were considered when Council made its previous determination. The reduced quarry life does not alter the situation from that which Council previously considered. One submission identified that extra monitoring was required. This matter has been incorporated in appropriate conditions. Also, a question was raised regarding compensation to landowners for any effects that may result. Any impact on neighbours would be difficult to quantify and compensation is not a matter that Council should become involved with.

### **4. Inadequate Information**

One submission stated that a figure in the Environmental Impact Statement is out of date as it does not show all new residences. At the time when Council considered the merits of increasing the output the plan appeared to be satisfactory for the purposes of assessing the development application.

### **5. Rehabilitation**

One submission raised concerns regarding the timing of rehabilitation and possible bonding of the works. The previous resolution of Council required a detailed rehabilitation plan to be submitted as part of the quarry plan of management.

In addition to the above submission, comments were also received from various government authorities. A summary of their submissions with comments where relevant are provided below.

## Items Deferred

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### **NSW Department of Mineral Resources**

The Department is satisfied with the proposed increase in production. Recommend approval of the application.

### **Northern Rivers Institute of Health and Research**

Council will need to assess impacts such as traffic, noise and vibration. Major concern is that conditions are not exacerbated by additional traffic movements and to ensure that encroachment of rural residential development adjacent to the quarry does not happen in a way that would conflict with conditions generated by quarry operations.

### **Comments**

These matters were discussed and considered by Council in the previous report.

### **National Parks and Wildlife Service (NPWS)**

NPWS has no issues with this proposal.

### **NSW Agriculture**

- \* Appropriate buffers and dust suppression should be included in the management of the quarry to mitigate impacts on adjoining agriculture.
- \* The EIS does not mention water flows in the creek system that may be affected by the quarry. Agriculture downstream may be a user of the water and if so the quality and quantity of the water leaving the site should be documented and monitored.

### **Comments**

The recommended condition contains additional dust control measures.

This proposal does not increase the disturbed area of the site compared to that which has already been approved. Water quality/quantity in the creek is not an issue which has raised concerns from Council's Environment and Health Services Unit or the Environment Protection Authority.

### **Environment Protection Authority (EPA)**

- \* EIS does not include sufficient detail to permit comment on the likely effectiveness of the proposed stormwater treatment system. However, site has been inspected and water quality monitoring records have been reviewed and the EPA is satisfied the control measures in place will minimise potential for the discharge of polluted wastewater, except during periods of exceptional rainfall.
- \* The EIS acknowledges that dust control measures may not be sufficient and EPA has raised this with the operator and the company has agreed to cease operations during times of high wind speed and have installed road and stockpile water systems to minimise the generation of dust. Recent dust monitoring results at residential premises indicates compliance with EPA guidelines.

## Items Deferred

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- \* The EIS states that the noise levels recommended by the EPA are unlikely to be achieved by operations of the quarry (although recent monitoring results indicate compliance with EPA guidelines). The potential for exceedances of the EPA's noise guidelines will decrease when extraction of material moves below natural ground level (due to the creation of a barrier effect). The company has previously monitored the noise and blasting (vibration) operations generated at the site. The noise monitoring (drilling and blasting) should be continued (as recommended in the EIS) and results submitted with the EPA and Council on a six monthly basis.

### Comments

The recommended monitoring has been included in the conditions previously resolved upon by Council.

### Department of Urban Affairs and Planning

The Department has examined the issues raised in the submissions and notes that some of the information contained in the EIS may no longer be indicative of the true nature of current operations as it is over 2 years old. Additionally, the Department is concerned that the rehabilitation measures do not adequately address the provisions of Clause 18 of the North Coast Regional Environmental Plan 1988.

It is appropriate for Council to determine the application and a Commission of Inquiry is not necessary.

### Comments

Council has already considered the merits of the application and this amendment has only been lodged to seek changes to the intersection upgrading requirements, the passing bay contributions and the method of heavy haulage contributions.

A detailed rehabilitation plan is required as part of the management plan which is to be lodged before the consent becomes operable.

The application was also referred to the Department of Land and Water Conservation and the Regional Advisory Committee. The Department of Land and Water Conservation did not respond and comments made by the Regional Advisory Committee are included in the "Evaluation" Section of this report.

### EVALUATION

The current proposal primarily relates to a request to modify conditions from Council's previous resolution. All other issues do not vary from that previously considered by Council. Therefore, it is not proposed to re-examine these issues. The relevant parts of Council's resolution that require further consideration are discussed below.

1. Part A of the resolution required a Deed of Agreement to be entered into for the payment of a road maintenance levy of 2.5c/tonne/km and also for the payment of \$40,068 towards the provision of overtaking lanes.

## Items Deferred

When the application was originally considered by Council, Section 94 Plan No. 4 - Tweed Road Development Contribution which incorporates a policy for heavy haulage contributions was not in force. The plan has now been adopted and the plan requires that the contributions be paid by the destination development rather than by the quarries. Therefore, the part of the resolution relating to the road maintenance contribution can be deleted. By letter dated 22 November 1999, the applicant has agreed to pay any money already due by agreement which sets a timetable for payment.

In relation to the payment for overtaking lanes, this matter has been reviewed by the Manager, Works Unit who has advised that some reduction is warranted and in view of the reduction in the quarry then one-third of the contribution should be required ie. \$13,355.

2. Condition 6(ii) of the recommended conditions requires upgrading of the existing access to an AUSTRROADS Type C intersection. This was a requirement of the Regional Advisory Committee. Council's Engineering Services Division considered a Type B intersection would have been satisfactory.

After this resolution was made, the applicant made submissions to the RTA to have this requirement reviewed. This review resulted in the RTA raising no objection to a modified layout based on Engineering plans lodged by the applicants consultant as it offers a suitable solution for difficult site conditions. The advice from the Regional Advisory Committee during the advertising of the application is that:-

- i. a maintenance contribution should be paid;
- ii. the intersection should be upgraded to previously agreed standards;

The previously agreed standard is the modified layout approved by the RTA.

### LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

If the applicant is not satisfied with Council's determination of the application they have a right of appeal to the Land and Environment Court.

### OPTIONS

Council can either modify the conditions as requested or resolve not to modify the conditions.

### CONCLUSION

This application only modifies that which was previously considered by Council in respect of the anticipated quarry life and therefore the applicant has requested changes to recommended conditions in respect of road maintenance upgrading and intersection conditions. These changes have been discussed in the evaluation section of this report and it is considered that changes to the recommended conditions are warranted due to the reduced quarry life.

## Items Deferred

### ITEM MOVED FROM THE CONFIDENTIAL AGENDA

4. *CSR Quarry - Terranora*

*PF5430/1443 Pt2*

*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*

1185

*Cr Polglase*

*Cr Boyd*

*RESOLVED that this item be deferred.*

**This item and the previous item are the subject of a further report at Item 2 of this Agenda**

4. **ORIGIN: Development Control Unit**

**FILE REF: PF5430/1443 Pt2**

**REPORT TITLE:**

**CSR Quarry - Terranora**

**SUMMARY OF REPORT:**

CSR Quarry presently has approval to remove 200,000 tonnes of material from the quarry each year. An application to increase the annual output to 350,000 tonnes per year remains undetermined and is being considered by Council at this meeting. Recent advice provided by the applicant indicates that the 200,000 tonne limit has been exceeded for the past four years.

**RECOMMENDATION:**

That Council seeks to rectify the breach of development consent 88/372 by negotiated settlement through Consent Orders in the Land and Environment Court and the Director Development Services be given delegation to negotiate the settlement.

## Items Deferred

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### REPORT:

#### BACKGROUND

In February 1990, development consent 88/372 was issued for extensions to the existing hardrock quarry at Lot 4 and 5 DP 715151 (now Lot 1 DP 792256) Terranora Road, Terranora. The consent limited the quarry output to 200,000 tonnes per annum.

The 200,000 tonne limitation was exceeded in 1995 by 63,000 tonnes which prompted the lodgement of a development application to increase the output to 350,000 tonnes per annum. This application remains undetermined and is subject to a separate report to Council. Recent advice provided by the applicant indicates that the past three years annual extraction rate has also been exceeded. The quantities involved are:-

96-97	298,025 tonnes
97-98	357,415 tonnes
98-99	366,525 tonnes

The last two years the output has also exceeded the maximum proposed in the undetermined development application.

Following receipt of this advice Council wrote to the applicant expressing its concern and requesting advice as to what action is proposed to be taken to regularise breach of the development consent. In reply, the applicant has advised as follows:

*“The concerns you have raised in your letter are noted. The following actions are proposed to address the situation.*

- 1. CSR will take immediate action to ensure that output volumes are monitored. I will advise you what this will mean for current operation through to March 30 2000 once the calculations are made. This advice will be provided within three weeks.*
- 2. CSR understands it's obligation regarding road maintenance contribution. CSR will make any payments due over and above any monies already paid, by agreement which sets a timetable for payment acceptable to council.*
- 3. CSR asks the council to determine the application to increase volumes as expeditiously as possible. The resolution to points 1 and 2 above can be practically linked to a determination of the application (by condition precedent). This appears to us to be the most efficient way of regularising the development consent.*
- 4. Should council wish 1 and 2 to be resolved as a separate matter we are prepared to enter into any agreement forthwith.*

*I look forward to your advice on these matters.*

The applicant has recently advised that the output to 24 December 1999 was 220,000 tonnes and the output to the end of March 2000 is likely to be 250,000 tonnes. The end of March represents the end of each year for the purpose of calculating the annual extraction rates.

## Items Deferred

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### COMMENTS/OPTIONS

Council can not grant retrospective approval for the breach, particularly as the output has exceeded that which has been applied for in the current application. It would appear that Council has the following options in relation to this matter:

1. Negotiate with the owner to seek consent orders in the Land and Environment Court to authorise the output over the last 4 years. The Orders should include an agreement to pay outstanding money in respect of the road maintenance contribution.
2. Prosecute the owners for the breach of the consent and seek to obtain orders to require reinstatement of the land as far as is practicable.
3. Advise the owners that work is to cease until 31 March, 2000.

It obviously is impractical to rectify the breach by requiring the material removed that is in excess of the 200,000 tonne limit to be replaced. It would appear that the most practical solution to the breach would be to seek a negotiated settlement through Consent Orders in the Land and Environment Court.

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## Items Deferred

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## Items Deferred

**12. Proposed Erection of a Detached Dual Occupancy at Lot 319 DP 853944  
Federation Drive, Terranora**

**DA2035/355 Pt1**

**1139**  
**Cr Marshall**  
**Cr Lawrie**

**THIS ITEM IS THE SUBJECT OF NOTICE OF MOTION  
NO 3 (CR LAWRIE) OF THIS BUSINESS PAPER**

**RESOLVED that:-**

1. *This item be deferred.*
2. *The Director Development Services investigates a Policy on dual occupancy in Terranora.*

**12. ORIGIN: Development Control Unit**

**FILE REF: DA2035/335 Pt1**

**REPORT TITLE:**

**Proposed Erection of a Detached Dual Occupancy at Lot 319 DP 853944 Federation Drive, Terranora**

**SUMMARY OF REPORT:**

The proposal involves the erection of a detached dual occupancy at Lot 319 DP 853944 Federation Drive, Terranora. Dwelling one is proposed as a two storey building and dwelling two is proposed as a single storey building. The subject site is located on the western side of Federation Drive and comprises a total site area of 1103m<sup>2</sup>. The site is currently vacant. Previously there was no sewer capacity for Council to consider dual occupancy development in Terranora Village however, as a result of additional sewer capacity, Council is now able to consider development applications for dual occupancy developments in this location. The proposal was notified to adjoining properties which were given 14 days in which to make any submissions. 17 letters of objection and a petition comprising 82 signatures has been submitted to Council. The proposal does raise a key issue of precedent for dual occupancy development in Terranora Village.

**RECOMMENDATION:**

That the development application K99/1674 lodged by David Perry Homes for a detached dual occupancy at Lot 319 DP 853944 Federation Drive, Terranora be approved subject to the following conditions:-

**PRE-REQUISITES**

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.

## Items Deferred

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.

### (ii) GST

In this Clause:

- “GST means a Federal Government tax imposed on the supply of goods and/or services or a similar tax.
- Any contributions and levies, whether monetary by dedication of land, or otherwise, imposed as a condition of this development consent and all other moneys payable by and on behalf of the applicant under this development consent are exclusive of GST.
- Liability for GST (payable in respect of any taxable supply) is additional. It is payable by the applicant to the Council at the same time as all and any contributions, levies and other money are payable under this consent.
- The Council will issue to the applicant, within twenty-one (21) days of a request from the applicant, a tax invoice of the levies or contributions paid by the applicant adjusted by the rate of the GST in accordance with the requirements of the relevant legislation.

a.	Tweed Road Contribution Plan: S94 Plan No. 4 (Version 4.0) Terranora (Residential)	\$5,342.00
b.	Open Space (Structured): S94 Plan No. 5	\$220.00
c.	Shirewide Library Facilities: S94 Plan No. 11	\$150.00
d.	Eviron Cemetery/Crematorium Facilities: S94 Plan No. 13	\$44.00
e.	Emergency Facilities (Surf Lifesaving) S94 Plan No. 16	\$41.40
f.	Extensions to Council Administration Offices	

## Items Deferred

& Technical Support Facilities	\$178.35
S94 Plan No. 18	
g. Cycleways	\$50.00
S94 Plan No. 22	

2. A **certificate of compliance** (CC) under Part 3 Division 2 of the Water Supply Authorities Act 1987 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

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 64 Contributions have been paid and the Certifying Authority has sighted Council’s “Contribution Sheet” and a “Certificate of Compliance” signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

### GST

In this Clause:

- “GST means a Federal Government tax imposed on the supply of goods and/or services or a similar tax.
- Any contributions and levies, whether monetary by dedication of land, or otherwise, imposed as a condition of this development consent and all other moneys payable by and on behalf of the applicant under this development consent are exclusive of GST.
- Liability for GST (payable in respect of any taxable supply) is additional. It is payable by the applicant to the Council at the same time as all and any contributions, levies and other money are payable under this consent.
- The Council will issue to the applicant, within twenty-one (21) days of a request from the applicant, a tax invoice of the levies or contributions paid by the applicant adjusted by the rate of the GST in accordance with the requirements of the relevant legislation.

Water:	\$3,420.00
Sewer:	\$2,820.00
Terranora Village Sewer Levy	\$458.00

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

## Items Deferred

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**Note:** The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

3. 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.

### GENERAL

4. The development shall be completed in general accordance with Plan Nos 872 Sheet 1 dated 16/9/99 & sheet 1B dated 18/11/99; Sheets 2 & 3 dated 13/10/99; Sheets 5, 6 & 7 dated 14/10/99 drawn by David Perry Homes Pty Ltd, except where varied by these conditions.
5. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.
6. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
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 provision of a minimum of two (2) off street car parking spaces. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.

## Items Deferred

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9. Disposal and removal of waste from each dwelling in accordance with details submitted to and approved by Director of Environment & Community Services Division prior to any occupation of the building.
10. The premises shall be suitably identified by Unit No. (where appropriate) and Street Number displayed in a prominent position on the facade of the building facing the primary street frontage, and is to be of sufficient size to be clearly identifiable from the street.
11. 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.
12. 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.
13. 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.
14. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve.
15. 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
  - e. stormwater drainage connection to inter allotment drainage system prior to back filling.
16. 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 Council prior to occupation of the building; and

## Items Deferred

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- (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.

17. 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.
18. The glazier is to supply the PCA with certification that all glazing complies with AS 1288-1994 of the Building Code of Australia.
19. Manufacturers certification is to be provided to the PCA from the Roof Truss manufacturer to certify the roof truss design.
20. 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.

## Items Deferred

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### PRESCRIBED (BUILDING)

21. 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.
  
22. 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.
  
23. 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).
  
24. 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:
  1. 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
  2. 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,

## Items Deferred

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.
25. 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)

26. 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.

### FIRE (BUILDING)

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 -

- (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 Council prepared by the licensed Electrical Contractor certifying that the installation complies with the above, prior to occupation of the building.



## Items Deferred

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### ROADS/STREETS

28. The owner or contractor must not undertake any work within the public road reserve without giving Council's Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.
29. 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.
30. The concrete driveway across the footpath is to be 100 millimetres thick minimum and reinforced with F72 mesh with 40mm cover.
31. The driveway is to be constructed 3 metres wide at the property boundary and 3 metres wide at the kerb line with a uniform taper if a splay is specified.
32. Where the kerb is to be removed for driveway laybacks, stormwater connections, pram ramps or any other reason, the kerb must be sawcut on each side of the work to enable a neat and tidy joint to be constructed.

### DRAINAGE/FLOODING

33. All roof waters and water from open car park areas 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. Sub-floor excavations must be drained by an agricultural pipe and rubble drain, not less than 300mm deep and 300mm wide and piped to the street separate to the roofwater disposal system; to provide satisfactory drainage in accordance with Australian Standard AS/NZS3500.3.2-1998.
35. 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.

### 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.

## Items Deferred

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38. All necessary precautions shall be taken to minimise impact from dust during filling operations from the site and also from construction vehicles.
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. 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.
41. Prior to commencement of building works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority. Erosion and sedimentation control devices should be installed in accordance with the publication "Managing Urban Stormwater Soils and Construction" prepared by the NSW Department of Housing. All erosion and sedimentation control shall be maintained throughout the period of construction.
42. The guttering downpiping and roof waste water disposal system is to be installed and operational before the roofing is installed.

### **PLUMBING AND DRAINAGE**

43. 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, prior to the erection of brick work or any wall sheeting;
  - c external drainage prior to backfilling.
  - d completion of work.
44. A permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
45. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.

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46. 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.
47. 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.
48. Impervious floors, properly graded and drained are to be provided to all wet areas.
49. 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.
50. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.
51. 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.
52. The finished floor level of the building should finish not less than 225mm above finished ground level.

## Items Deferred

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### REPORT:

**Applicant:** David Perry Homes  
**Owner:** Kenbrun Pty Ltd  
**Location:** Lot 319 DP 853944 Federation Drive, Terranora  
**Zoning:** 2(d) Rural Village  
**Est. Cost:** \$168,000

### BACKGROUND

The proposal involves the erection of a detached dual occupancy at Lot 319 DP 853944 Federation Drive, Terranora.

The subject site is located on the western side of Federation Drive at the end of the cul-de-sac and comprises a total site area of 1103m<sup>2</sup>. The site is currently vacant. The surrounding locality is characterised by predominantly single and two storey dwellings. A drainage reserve is located on the adjoining property to the east at Lot 283. The subject site comprises a drainage easement along its western boundary.

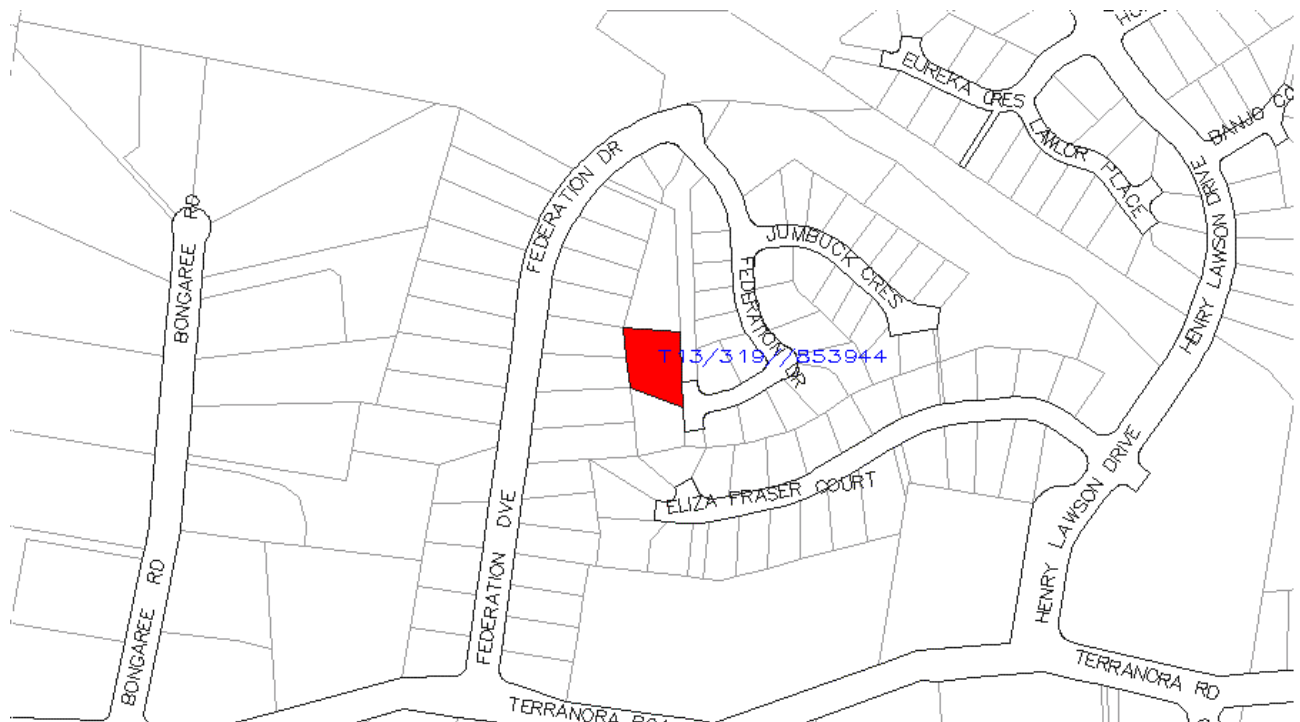
The proposal involves the erection of a part one/part two storey development. Dwelling one is proposed as two storeys and is to comprise three bedrooms. Dwelling two is proposed as a single storey building and is also to comprise three bedrooms. The buildings are to be constructed of brick with concrete roof tiles.

Vehicular access to the site is proposed from Federation Drive. A double garage is proposed to Unit 1 with a single garage proposed to Unit 2.

The proposal was notified to adjoining and adjacent properties which were given 14 days in which to make any submission. 17 letters of objection were received during the notification period in addition to a petition with 82 signatures.

## Items Deferred

### Site Diagram



### CONSIDERATIONS UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

(a) (i) **Tweed Local Environmental Plan 1987 (TLEP 1987)**

The subject site is zoned 2(d) Rural Village in accordance with TLEP 1987. The proposal is permissible with Council's consent within this zone.

Clause 16B(b) of TLEP 1987 requires a maximum floor space ratio of 0.5:1. The proposed FSR is 0.22:1. The proposal is satisfactory in this regard.

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

The proposal does not contravene the provisions of the NCREP 1988.

**State Environmental Planning Policies (SEPPs)**

No particular SEPPs are applicable.

(ii) **Draft Tweed Local Environmental Plan 1998**

There is no proposed change to the zoning of the subject site under the draft TLEP 1998.

Dual occupancy provisions contained within the draft TLEP 1998 require a maximum density of one dwelling per 450m<sup>2</sup> of site area or one dwelling per 250m<sup>2</sup> of site area if

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located within 300m of a business centre. The total site area is 1103m<sup>2</sup> which satisfies the provisions of the draft TLEP 1998.

### (iii) Development Control Plans (DCPs)

#### DCP1 - Terranora Village

DCP1 states that dual occupancies may be considered within Terranora Village. The proposal does not contravene the provisions of DCP1.

#### DCP2 - Site Access and Parking Code

Council's Parking Code requires the provision of one space per unit for dwellings below a gross floor area of 125m<sup>2</sup> and two spaces for dwellings above 125m<sup>2</sup>. It is proposed to provide a double garage allocated to dwelling one and a single garage to unit 2. The proposal is satisfactory in regards to Council's requirements.

#### DCP6 - Multi Dwelling Housing

The proposal requires a minimum open space requirement of 20% of the total site area being 220.8m<sup>2</sup>. It is proposed to provide approximately 525m<sup>2</sup> which includes all areas with a dimension of 3m only as required by DCP6. DCP6 also requires the provision of a minimum area of useable open space for each unit of 25m<sup>2</sup> with a minimum dimension of 4m. It is proposed to provide areas greater than 25m<sup>2</sup> allocated to each unit. It is noted that this area is not directly accessible from the living area of dwelling No. 1 as required by DCP 6, however, a balcony has been provided off the living area. It is considered that the proposal is satisfactory in this regard.

Dwelling No. 1 is proposed to be setback 3.17m from the eastern boundary, 12m from the sites western boundary, a minimum of 8.4m from the southern boundary and 19m from the northern boundary. Dwelling No. 2 is located 4m from the northern boundary, 4.1m from the eastern boundary, 26.4m from the southern boundary and 7m from the western boundary. The dwellings are considered to be well sited in terms of minimising any potential for overlooking and overshadowing.

It is noted that the dwelling to the south of the subject site at Lot 285 contains views across the subject lot. An assessment of the dwelling on that site in relation to the proposed development identified that there will be minimal view loss as a result of the proposed development.

The buildings are considered to be compatible with development in the locality in terms of their design, bulk and scale. Having regard to the matters discussed above it is considered the proposal is satisfactory in regards to the provisions of DCP6.

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

As indicated, the proposal involves the erection of a detached dual occupancy development comprising a two storey dwelling and a single storey dwelling. Each dwelling within the dual occupancy development is to comprise three bedrooms, a large

## Items Deferred

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family/living area, kitchen and bathroom facilities. A double garage is to be allocated to dwelling 1 with a single garage allocated to dwelling 2. Vehicular access is provided from Federation Drive.

Adjoining the site to the east is a drainage reserve over Lot 283. Further to the east on the opposite side of this drainage easement is predominantly single dwelling development. Directly to the south at Lot 285 is a two storey dwelling. To the west of the site is predominantly single dwelling development of a mix of one and two storeys in height. A drainage easement is located along the western boundary of the subject site.

The proposed buildings are considered to be compatible in design and materials with development within the locality. The proposal satisfies the useable open space and landscaping provisions contained within DCP6 and satisfies the maximum floor space ratio provisions contained within TLEP 1987. The extent of setbacks will ensure minimal overlooking and overshadowing to adjoining properties.

It is noted that there is no other dual occupancy development within the immediate locality due to Council's previous restriction on such developments due to inadequate sewer capacity. It is noted that there is no statutory prohibition on dual occupancy development in this location. As a result of availability of additional sewer capacity, Council is now able to consider development applications for dual occupancy developments in Terranora Village. It is further noted that there is no Section 88B restriction on dual occupancy development on the subject site.

The subject site is capable of accommodating a dual occupancy development. The site is to be well landscaped to soften the impact of hard paved and building areas. Having regard to the matters discussed above the proposal is considered to be satisfactory in this regard.

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

As indicated the surrounding area is characterised by predominantly single dwelling development. There are no other dual occupancy developments within the immediate locality due to Council's previous restrictions on such developments as a result of inadequate sewer capacity. However, it is now noted that sewer capacity is now available within Terranora Village to enable Council to consider development applications for dual occupancy developments as stated in a report to Council from the Director of Engineering Services on 1 December 1999. The owner of the subject site, Kenbrun Pty Ltd being the developer of this subdivision and consequently the financier of the Terranora Village sewerage system has provided their consent to the lodgement of the development application for the dual occupancy development. The proposal satisfies Council's statutory and policy requirements in regards to dual occupancy development.

It is considered that the scale and design of the proposal still maintains the character of the village due to the materials used, the height of the buildings, and the overall site area (ie one dwelling per 551m<sup>2</sup> of site area is proposed).

## Items Deferred

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

The proposal was notified to adjoining and adjacent properties which were given 14 days in which to make any submissions. 17 letters of objection were received in addition to a petition with 82 signatures. The issues raised in these submissions are raised below.

\* **Dual occupancy does not maintain the character and scale of Terranora Village**

**Comment**

It is recognised that restrictions have been placed on dual occupancy in the past within this locality due to inadequate sewer capacity. There are no other dual occupancy developments in the area as a result of these restrictions. However, given the recent availability of sewer capacity Council is now able to assess development applications for dual occupancies in this location. The proposed development does not contravene the provisions of Council's TLEP or DCPs for this site. The subject site area is considered capable of accommodating a dual occupancy development. It is considered that the design of the buildings are compatible in scale and bulk with other dwellings within the Village.

\* **Multiple occupancies are prohibited**

The submissions refer to the zoning table for the 2(d) Rural Village zone in accordance with TLEP 1987 and concerns that the subject development is prohibited within the zone.

**Comment**

It is noted that dual occupancy development is a permissible development with Council's consent within the 2(d) Rural Village zone in accordance with TLEP 1987. Multiple occupancies are a separately defined use and are prohibited within the Rural Village zone.

\* **A change in zoning laws**

Concerns have been raised that the rules which govern the development have changed.

**Comment**

As previously indicated, restrictions did apply in regards to dual occupancy developments only due to inadequate sewer capacity and not due to statutory prohibitions on such developments within the Terranora area. As indicated however, sewer capacity is now available and Council is able to consider dual occupancy development in this location. There has been no change in zoning laws in order for Council to consider dual occupancy developments.



## Items Deferred

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\* **Additional traffic generation on an inadequate road**

Concerns were raised regarding increased traffic generation as a result of the proposed development.

**Comment**

The proposal for dual occupancy development will have minimal traffic generation. Council's Engineering Services Division raised no objections to the proposal.

\* **Drainage easement**

Concerns were raised regarding the location of buildings adjacent or on any drainage easements that will interfere with water runoff.

**Comment**

A drainage reserve is located on the adjoining lot to the east at Lot 283 Federation Drive and a drainage easement is located along the sites western boundary. It is noted that the proposed dwellings are to be setback a minimum of 3m from the sites eastern boundary and a minimum of 4m from the drainage easement located on the site. Council's Building Surveyor has commented on the proposal and raises no objections subject to conditions. It is considered that this does not provide justification for refusal of the application.

(e) **The Public Interest**

Having regard to the matters discussed above the proposal is considered to be satisfactory in the circumstances of the case and the public interest.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS**

If the application is refused the applicant has a right of appeal to the Land and Environment Court. There are no third party appeal rights.

**Options**

The following options are available to Council regarding the proposed development.

1. Approve the application subject to conditions.
2. Refuse the application.

**CONCLUSION**

The proposal was referred to Council's Building Services Unit and Council's Engineering Services Division for comment. It is noted that no objections were raised subject to conditions. In terms of the assessment of the dual occupancy proposal, as outlined above, the development is considered to be satisfactory for the subject site and is recommended for conditional consent.

## Items Deferred

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### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

**26. *Murwillumbah Main Streets Program Progress Report***  
***Street Scaping - Murwillumbah***

*1155*

*Cr Luff*

*Cr Marshall*

**RESOLVED** that this item be deferred to allow a presentation by Council officers and Mr Martin Butterworth to be held on 25 January 2000.

**26. ORIGIN: Planning & Design Unit**

**FILE REF: Street Scaping - Murwillumbah**

**REPORT TITLE:**

**Murwillumbah Main Streets Program Progress Report**

**SUMMARY OF REPORT:**

After four and a half years of consultation and consultancies, the community has been unable to nominate an acceptable urban design for the Murwillumbah Town Centre.

**RECOMMENDATION:**

That Council proceeds with construction of Murwillumbah Main street improvements as set out in the most recent John Deverson & Associates drawings, except that the pedestrian crossing near the cab rank be relocated to the Courthouse, and native frangipanis be used in proximity to pedestrian crossings.

## Items Deferred

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### REPORT:

#### INCEPTION

On 22<sup>nd</sup> June 1995 an inaugural workshop to discuss a Main Street program was held in the Murwillumbah Civic Centre auditorium. The consequent Main Street Steering Committee first met in the MSMC Dining Room on 3<sup>rd</sup> July 1995. Meetings have continued since then, initially under the auspice of the Development Services Division, but more lately Engineering Services has accepted responsibility for program works execution.

#### WOODS-BAGOT

Towards the end of 1996, Woods-Bagot Consultants were engaged to prepare a Town Centre Master Plan for the Committee. But in April 1998 Council, after engaging a Town Planning Consultant to analyse the public comments received, declined to adopt the Plan's capital works strategy as being too bold and out of scale with the "small town" character of Murwillumbah.

#### THE IN-HOUSE DESIGN

In an attempt to rescue the now directionless program, Council's Planning & Design Unit offered to prepare a simpler more affordable plan under the guidance of a "Design Committee" drawn from interested citizens. A graduate landscape architect was temporarily appointed and a set of concept drawings addressing the proposed \$600,000 budget was prepared and exhibited. This more low-key proposal was based on the idea of generating a small open space in the main street to create an recognisable town centre or "village green" which would be the focus for public transport, public toilets, visitor information and shady respite - facilities identified as important during the public consultation phase . An end-of-bridge roundabout to remedy main street inaccessibility from the Pacific Highway was also proposed. Otherwise what were felt to be largely cosmetic changes were devised for kerb lines, parking and street furniture for the remainder of Murwillumbah Street, Commercial Road and Wharf Street.

#### PARTIAL ADOPTION.

After some antagonistic public debate, and rejection of alternative "gateway" proposals prepared by architects Guymer Bailey, Council resolved in late 1998 to pursue the exhibited in-house plan, except that the focal "village green" component and associated facilities was to be deleted.

#### JOHN DEVERSON & ASSOCIATES

As the plans were still in concept form, and time was seen to be of the essence, a competitively sourced contract was awarded to John Deverson & Assoc. (urban designers & landscape architects) to prepare detailed designs and contract documentation. Council staff resources meanwhile prepared drawings for, and constructed the Commercial Road roundabout after a number of protracted design committee debates and reports to Council. However, the details in the plans prepared by John Deverson were eventually deemed unacceptable by the design committee and a further set of amended drawings was commissioned in late 1999. These latest drawings virtually retain the status quo functionally in the town except for introduction of street trees and some modest changes to kerb lines.

## Items Deferred

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### THE LAST MEETING.

This amended set of drawings was put to the Design Committee on 16<sup>th</sup> December 1999. (See minutes included in this business paper.) Council's Manager - Tweed Shire Town Centre Committee Ms Rose Wright presented her report on consultation with main street traders on their attitudes to the latest plan. (appended below). Trader support was unanimous.

The meeting later resolved that the pedestrian crossing near the cab rank be moved further west to in front of the Courthouse and that it required the kerb "blister" (a local widening of the footpath to shorten pedestrian crossing distances and improve footpath amenity) at the Westpac Bank corner be deleted. (Note that Council's traffic engineer recommended the pedestrian safety 'blister' because left turning traffic was overtaking through traffic on the inside when it was stopped for pedestrians - a major safety risk. This was supported by anecdotal evidence from the meeting.) A change of tree species to native frangipani at pedestrian crossings was also promoted.

A final motion that the plans as presented (subject to reservations as discussed) receive the general support of the Committee failed, the vote being 6 - 6 with the chairman abstaining. (The membership is 31 persons.)

The latest meeting of the Design Committee (which was additional to the 'final' meetings resolved by Council) was therefore still inconclusive.

Council now has three options for action:

1. Adopt the drawings as presented (with or without all resolved amendments) and authorise construction
2. Continue to negotiate with the Design Committee in the hope of getting endorsement to a further set of acceptable revisions
3. Suspend further action on Murwillumbah Main Street improvements until a trader-instigated consensus on a vision for the retail part of the town can be achieved under their leadership.

If Option 1 is chosen, work could proceed without further delay.

If Option 2 is chosen, there is no certainty that resolution will be achieved, and further procrastination may occur.

If Option 3 is chosen, some loan monies could be released for other projects, and some rate levies would have to be refunded.

Because of the investment in public money and community effort to date, Option 1 is recommended.

### APPENDIX

#### *Report on consultation with Main Street Traders*

#### *regarding Murwillumbah Town Centre Streetscape Design Plan*

*The Murwillumbah Main Street program has recently been included in the Shire wide Town Centres Program. As I have had no involvement to-date with the design committee*

## Items Deferred

*& the various changes to the proposed designs, I felt it was important to discuss the latest John Deverson & Assoc. streetscaping plans with as many of the traders in the area as possible prior to attending any design committee meetings. After discussing the plans and various issues that may be of concern to the committee with Council's senior professional staff, it was agreed that this consultation with the traders was an important tool for Council in making a decision on the implementation of the streetscape plans.*

*It was decided that four main issues would be of concern to the committee:-*

- a) The loss of car parking in the street as a result of the street works.*
- b) The tree species suggested in the streetscape*
- c) The change of traffic flow caused by the extension of the pavement at the Westpac Corner*
- d) The realignment of the pavement including the outdoor dining areas.*

*The objective of my consultation with the traders was to:-*

- a) Inform them of the proposed plans & point out the major changes to the existing streetscape.*
- b) Seek their opinion of the plans as outlined and specifically on the areas of concern as listed above.*

*To assist in the communication process, Council's Manager Recreation Services provided photographs & a description of as many of the trees proposed in the streetscape plan as possible.*

*These included:-*

*Diploglottis Cambellii – Small Leafed Tamarind*

*Flindersia Australis - Australian Teak*

*Agathus Rubusta - Kauri Pine*

*Lepiderema Pulchella - Fine Leafed Tuckeroo*

*Waterhousea Floribunda- Weeping Lilly-pilly*

*Syzygium fibrosum - Lilly-pilly*

*Syzygium luehmannii - Riberry*

*The verbal information given to the traders consisted of*

- a) An outline of the relevant tree species & an opportunity to view the photos*
- b) Description of the pavement extensions at all pedestrian crossings & corners, indicating that these extensions did not incur a loss of parking.*

## Items Deferred

- c) *Description of the outdoor dining areas notable in front of the Imperial Hotel & Margheritas Cantina & the resulting loss of parking.*
- d) *A detailed outline of the pavement extension at the Westpac Corner & the anticipated change it would have on traffic flow. Ie possible slow down traffic.*
- e) *Pointed out other changes such as the removal of the pedestrian crossing at the Post Office.*
- f) *Made it very clear that to implement the proposed changes to the street there would be a loss of parking in the area of an estimated 6 parking spaces.*

*During the interview I asked each trader the questions as outlined below & recorded their responses as follows.*

<i>Name</i>	<i>Business</i>	<i>Are you happy to accept the loss of carparking with the proposed street scape?</i>	<i>Are you happy with the tree species suggested in the streetscape ?</i>	<i>Are you happy to accept the change in traffic flow caused by the extension of the pavement at the Westpac corner?</i>	<i>Are you happy to accept the pavement realignment including the outdoor dining areas?</i>	<i>Comments</i>
<i>Bruce Williams</i>	<i>JH Williams &amp; Sons</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>We would have been happy with the 1<sup>st</sup> plan hurry up &amp; do something</i>
<i>Kay Cram</i>	<i>Buzz Bar</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	
<i>Ezio Zambelli</i>	<i>Zambelli's Jewellers</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Parking is a problem but it needs this improvement more</i>
<i>Andrew Thacker</i>	<i>National Australia Bank</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	
<i>Jim Larkin</i>	<i>Jim Larkin Electrical</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>It would be good to have the pots left on the street all year</i>
<i>Julie &amp; Henry Prichard</i>	<i>Toy Kingdom</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Kingscliff is great we need this here</i>
<i>Ian Hill</i>	<i>Hill's Newsagent</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Toilets need upgrading</i>
<i>Ross</i>	<i>Dinki Di Discounts</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Ok with change to pedestrian Xing at court house</i>
<i>Jenny Bawden</i>	<i>Salvation Army Store</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	

## Items Deferred

<i>Name</i>	<i>Business</i>	<i>Are you happy to accept the loss of carparking with the proposed street scape?</i>	<i>Are you happy with the tree species suggested in the streetscape ?</i>	<i>Are you happy to accept the change in traffic flow caused by the extension of the pavement at the Westpac corner?</i>	<i>Are you happy to accept the pavement realignment including the outdoor dining areas?</i>	<i>Comments</i>
<i>Patrick Egan</i>	<i>Patrick Egan Optometrist</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>A very positive move – no problem with the relocation of the ped x-ing at the courthouse</i>
<i>Narelle Hulme</i>	<i>Mur-bah Music</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Loading Zone &amp; Bus zones must be retained Bo problem with the relocation of the ped Xing to the courthouse.</i>
<i>Ingrid Werninghouse</i>	<i>Take 10 Coffee Shop</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Outdoor dining areas give an unfair advantage to other cafes. Doesn't want the ped X-ing moved.</i>
<i>Brian Leeson</i>	<i>Courthouse Hotel</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Supports the plan &amp; would like to consider using the pavement as an outdoor dining area.</i>
<i>Mark Harvey</i>	<i>Premier Chicken Gourmet</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>All Round a really good plan</i>
<i>Paul Pouloudis</i>	<i>Tweed Fruit Exchange</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Yes to all except Imperial Hotel dining area.</i>	<i>No problem with Truck access. More trees on North side of Street</i>
<i>Lyn Williams</i>	<i>ANZ Bank</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	
<i>Bruce Armstrong</i>	<i>Armstrongs</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Loading Zone in front of Twd Fruit should be 20 minute time frame</i>
<i>Laurie Bortoli</i>	<i>Imperial Hotel</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Coordinate an exit from rear parking area to Church Lane</i>
<i>Rachael Leedham</i>	<i>Westpac</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Happy with the change to pavement as it should improve pedestrian safety.</i>

## Items Deferred

<i>Name</i>	<i>Business</i>	<i>Are you happy to accept the loss of carparking with the proposed street scape?</i>	<i>Are you happy with the tree species suggested in the streetscape ?</i>	<i>Are you happy to accept the change in traffic flow caused by the extension of the pavement at the Westpac corner?</i>	<i>Are you happy to accept the pavement realignment including the outdoor dining areas?</i>	<i>Comments</i>
<i>Bev Hill</i>	<i>Beverly's on Main St.</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Happy with changes to traffic flow as current crossing is dangerous</i>
<i>Cameron Raward</i>	<i>Raward Mensland</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	
<i>John Norris</i>	<i>AON Insurance</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Create staff parking areas on riverside</i>
<i>Barry McDermott</i>	<i>Work 'n' Country Wear</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Stamp pavement with colour</i>
<i>Margherita Quaranta</i>	<i>Margherita's Cantina</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>Toilets need upgrading &amp; signs to direct people</i>



## Items Deferred

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# Reports from Director Development Services

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## **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 79(C)(1) 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 public 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.

### **EXTRACT FROM TWEED LOCAL ENVIRONMENTAL PLAN 1987**

#### **SCHEDULE 3 - Principles and Criteria of Assessment in Respect of Development in Rural and Environmental Protection Zones**

## Reports from Director Development Services

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1. The ratio of frontage to depth of each allotment is to be assessed having regard to the purpose for which the allotment is to be developed and the need to minimise the creation of vehicular access point to any road and particularly to designated roads.
1. Arrangements satisfactory to the Council are to be made for the provision of water and on-site disposal of wastes.
1. A road access consistent with the Council's current standards should be provided between the proposed development and a convenient commercial centre.
1. In areas with slopes predominantly in excess of 25% (1 in 4) or 18% (1 in 5.56) on potentially unstable soils such as kraxnozems, chocolate soils and yellow podzolics, identification and investigation of areas of potential erosion landslip or mass movement may be required.
1. In areas identified by the Council as having significant bushfire hazard risk sufficient design consideration is to be given to the reduction of the potential hazard.
1. In areas where potentially significant geological resources have been identified by the Council, investigation is to be carried out into the desirability of preserving access to such resources and the effects of possible future extraction of the resource on both existing and future development in the locality.
1. In areas identified by the Council as being of particular scenic value, the effect that the carrying out of development would have on the retention of existing vegetation on the land and the impact that any proposed building or structure would have on the scenic quality of the locality are to be assessed.
1. In areas identified by the Council as being flood liable, design consideration is to be given to flood liability in accordance with the Council's current policy.
1. An assessment is to be made of the likely impact that will result upon the Council's road system as a consequence of the development being carried out.
1. An assessment is to be made of the impact of proposed drainage works on adjoining lands.
1. An assessment is to be made of identified prime agricultural lands, to include:
  - (a) an assessment of the quality of agricultural land, including existing farm layout and infrastructure as well as neighbouring uses; and
  - (b) recognition of the impact on existing and neighbouring uses regarding loss of prime land and potential for conflict requiring appropriate buffering;and all applications for subdivision on land identified as Class 1, 2 and 3 or unique horticultural on the Department's Classification Agricultural Land Maps shall be referred to the Department of Agriculture for comment.
12. The vulnerability of the proposed development to coastal erosion to be assessed and design consideration given to the reduction of the potential hazard.

## Reports from Director Development Services

### MATTERS FOR CONSIDERATION UNDER SECTION 90 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;
    - (ii) any draft environmental planning instrument that is or has been placed on exhibition pursuant to section 47(b) or 66(1)(b);
    - (iii) any draft State environmental planning policy which has been submitted to the Minister in accordance with Section 37 and details of which have been notified to the consent authority; and
    - (iv) any development control plan in force under Section 51A or 72 that applies to the land to which the development application relates;
  - (a1) the provisions of
    - (i) any conservation agreement entered into under the National Parks and Wildlife Act 1974 and applying to the whole or part of the land to which the development application relates; and
    - (ii) any plan of management adopted under that Act for the conservation area to which the agreement relates;
  - (b) the impact of that development on the environment (whether or not the subject of an environmental impact statement) and, where harm to the environment is likely to be caused, any means that may be employed to protect the environment or to mitigate that harm;
  - (c) the effect of that development on the landscape or scenic quality of the locality;
  - (c1) the effect of that development on any wilderness area (within the meaning of the Wilderness Act 1987) in the locality;
  - (c2) the effect of that development on critical habitat;
  - (c3) whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats;

## Reports from Director Development Services

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- (c4) any relevant recovery plan or threat abatement plan;
- (c5) the effect of that development on any other protected fauna or protected native plants within the meaning of the National Parks and Wildlife Act 1974;
- (d) the social effect and the economic effect of that development in the locality
- (e) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of that development.
- (f) the size and shape of the land to which that development application relates, the siting of any building or works thereon and the area to be occupied by that development;
- (g) whether the land to which that development application relates is unsuitable for that development by reason of its being, or being likely to be, subject to flooding, tidal inundation, subsidence, slip or bush fire or to any other risk;
- (h) the relationship of that development to development on adjoining land or on other land in the locality;
- (i) whether the proposed means of entrance to and exit from that development and the land to which that development application relates are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles within that development or on that land;
- (j) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic on that road system;
- (k) whether public transport services are necessary, and if so, whether they are available and adequate for that development;
- (l) whether utility services are available and adequate for that development;
- (m) whether adequate provision has been made for the landscaping of the land to which that development application relates and whether any trees or other vegetation on the land should be preserved;
- (m1) whether that development is likely to cause soil erosion;
- (n) any representations made by a public authority in relation to that development application, or to the development of the area, and the rights and powers of that public authority;
- (o) the existing and likely future amenity of the neighbourhood;

## Reports from Director Development Services

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- (p) any submission made under Section 87;
- (p1) without limiting the generality of paragraph (a), any matter specified in an environmental planning instrument as a matter to be taken into consideration or to which the consent authority shall otherwise have regard in determining the development application;
- (q) the circumstances of the case;
- (r) the public interest; and
- (s) any other prescribed matter.

90(2) A reference in this section to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application.

### **EXTRACT FROM TWEED LOCAL ENVIRONMENTAL PLAN 1987**

#### **SCHEDULE 3 - Principles and Criteria of Assessment in Respect of Development in Rural and Environmental Protection Zones**

1. The ratio of frontage to depth of each allotment is to be assessed having regard to the purpose for which the allotment is to be developed and the need to minimise the creation of vehicular access point to any road and particularly to designated roads.
1. Arrangements satisfactory to the Council are to be made for the provision of water and on-site disposal of wastes.
1. A road access consistent with the Council's current standards should be provided between the proposed development and a convenient commercial centre.
1. In areas with slopes predominantly in excess of 25% (1 in 4) or 18% (1 in 5.56) on potentially unstable soils such as kraxnozems, chocolate soils and yellow podzolics, identification and investigation of areas of potential erosion landslip or mass movement may be required.
1. In areas identified by the Council as having significant bushfire hazard risk sufficient design consideration is to be given to the reduction of the potential hazard.
1. In areas where potentially significant geological resources have been identified by the Council, investigation is to be carried out into the desirability of preserving access to such resources and the effects of possible future extraction of the resource on both existing and future development in the locality.
1. In areas identified by the Council as being of particular scenic value, the effect that the carrying out of development would have on the retention of existing vegetation on the land and the impact that any proposed building or structure would have on the scenic quality of the locality are to be assessed.
1. In areas identified by the Council as being flood liable, design consideration is to be given to flood liability in accordance with the Council's current policy.

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1. An assessment is to be made of the likely impact that will result upon the Council's road system as a consequence of the development being carried out.
1. An assessment is to be made of the impact of proposed drainage works on adjoining lands.
1. An assessment is to be made of identified prime agricultural lands, to include:
  - (a) an assessment of the quality of agricultural land, including existing farm layout and infrastructure as well as neighbouring uses; and
  - (b) recognition of the impact on existing and neighbouring uses regarding loss of prime land and potential for conflict requiring appropriate buffering;and all applications for subdivision on land identified as Class 1, 2 and 3 or unique horticultural on the Department's Classification Agricultural Land Maps shall be referred to the Department of Agriculture for comment.
12. The vulnerability of the proposed development to coastal erosion to be assessed and design consideration given to the reduction of the potential hazard.



## Reports from Director Development Services

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**1. ORIGIN: Development Control Unit**

**FILE REF: DA2990/430 Pt1**

**REPORT TITLE:**

**Proposed Detached Dual Occupancy at Lot 17 Section 18 DP 28390 Lakeview Parade, Tweed Heads South**

**SUMMARY OF REPORT:**

Council, at its meeting of 19 January 2000 considered a report on the proposed development. The report was recommended for refusal based on geotechnical grounds however, Council resolved as follows:-

*“RESOLVED that Council indicates its support for the Development Application submitted by Greg Grinter to erect a detached dual occupancy at Lot 17 Section 18 DP 28390 Lakeview Parade, Tweed Heads South and that the Director Development Services brings forward conditions appropriate in the event of Council resolving to approve this application.”*

In the event that Council decides to approve this Development Application, appropriate conditions have been included in the body of this report.

**RECOMMENDATION:**

That the development application submitted by Greg Grinter to erect a detached dual occupancy at Lot 17 Section 18 DP 28390 Lakeview Parade, Tweed Heads South be refused for the following reasons:-

1. Due to the history of instability of the site it is considered that Council could be liable in negligence if there is a slope failure in the future for approving the development as it is aware that the site has a history of slope failure.
2. The conclusions reached in the Geotechnical report are considered not to be satisfactory and the applicant has failed to further investigate the conclusions and provide further evidence supporting the conclusions.

## Reports from Director Development Services

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### REPORT:

**Applicant:** Mr Greg Grinter  
**Owner:** Mr LA & Mrs JL Mitchell  
**Location:** Lot 17 Section 18 DP 28390 Lakeview Parade, Tweed Heads South  
**Zoning:** 2(a) Residential  
**Est. Value:** \$135,000

### BACKGROUND/PROPOSAL

On 19 January 2000 Council considered a report on a development application for a detached dual occupancy on the subject site. The report recommended refusal of the application for the following reasons:-

- “1. Due to the history of instability of the site it is considered that Council could be liable in negligence if there is a slope failure in the future for approving the development as it is aware that the site has a history of slope failure.*
- 2. The conclusions reached in the Geotechnical report are considered not to be satisfactory and the applicant has failed to further investigate the conclusions and provide further evidence supporting the conclusions.”*

However, Council resolved as follows:-

*“RESOLVED that Council indicates its support for the Development Application submitted by Greg Grinter to erect a detached dual occupancy at Lot 17 Section 18 DP 28390 Lakeview Parade, Tweed Heads South and that the Director Development Services brings forward conditions appropriate in the event of Council resolving to approve this application.”*

A copy of the report and recommendation are provided as attachments to the Business Paper.

### EVALUATION

The assessment of the development application is included in the report to Council on 19 January 2000. If Council resolves to support the development application, because of the significant geotechnical issues associated with this development, a deferred commencement consent would be appropriate. The conditions are as follows:-

#### “Deferred Commencement”

This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule “A”. Such evidence is to be provided within twelve (12) months of the date of notification.

Upon the consent authority being satisfied as to compliance with the matters set out in Schedule “A”. The consent shall become operative and take effect from the date of notification under Section 67 of the Environmental Planning and Assessment Regulations subject to the conditions set out in Schedule “B”.

## Reports from Director Development Services

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### SCHEDULE "A"

**Conditions imposed pursuant to Section 80(3) of the Environmental Planning and Assessment Act, 1979 and Section 67 of the Regulations as amended.**

1. A plan showing all site works, site drainage and footing design is to be prepared and certified by a suitably qualified structural/geotechnical engineer and submitted to Council.

### SCHEDULE B

**NOTE: THIS PART OF THE CONSENT WILL NOT BECOME OPERABLE UNTIL COUNCIL ADVISES THAT THE MATTERS CONTAINED IN SCHEDULE A ARE SATISFIED.**

**PRE-REQUISITE - Conditions that need to be satisfied before a construction certificate can be issued**

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.

- (ii) GST

- 1.1 In this Clause 1:

"GST means any tax, impost or duty, including any goods and services, consumption, value added or similar tax applying on goods, services or other things introduced by the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and associated legislation (as amended), or under legislation passed by a State or Territory Parliament which is charged or levied on goods, services or other things.

- 1.2 Any monetary contributions and levies payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), and all other moneys payable by and on behalf of the applicant are exclusive of GST.

- 1.3 Any non-monetary contribution or levy payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), including, but not limited to, the dedication or transfer of land to the Council or the transfer of some other asset to the Council,

## Reports from Director Development Services

whether in tangible or intangible form, and all other non-monetary contributions payable by and on behalf of the applicant are also exclusive of GST.

- 1.4 Liability for GST (payable in respect of any taxable supply under this contributions plan whether monetary or non-monetary) is additional. It is payable by the applicant to the Council at the same time as all and any contributions, levies and other moneys are payable under this contributions plan and development consent.
- 1.5 In respect of any non-monetary contribution or levy referred to in clause 1.3 above, the GST payable shall be calculated as follows:

GST payable = The GST inclusive market price of the asset x  $\frac{1}{11}$ .

- 1.6 The Council will issue to the applicant, within twenty one (21) days of a request from the applicant, a tax invoice for the monies paid or the assets transferred by the applicant adjusted by the rate of the GST in accordance with the requirements of the relevant legislation.

a.	Tweed Road Contribution Plan: S94 Plan No. 4 (Version 4.0) (Tweed Heads South - Residential)	\$1684.00
b.	Open Space (Casual): S94 Plan No. 5	\$21.00
c.	Open Space (Structured): S94 Plan No. 5	\$220.00
d.	Shirewide Library Facilities: S94 Plan No. 11	\$150.00
e.	Eviron Cemetery/Crematorium Facilities: S94 Plan No. 13	\$44.00
f.	Emergency Facilities (Surf Lifesaving) S94 Plan No. 16	\$41.40
g.	Extensions to Council Administration Offices & Technical Support Facilities S94 Plan No. 18	\$178.35
h.	Cycleways S94 Plan No. 22	\$50.00

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2. A **certificate of compliance** (CC) under Part 3 Division 2 of the Water Supply Authorities Act 1987 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

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 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

### **GST**

- 1.1 In this Clause 1:

"GST means any tax, impost or duty, including any goods and services, consumption, value added or similar tax applying on goods, services or other things introduced by the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and associated legislation (as amended), or under legislation passed by a State or Territory Parliament which is charged or levied on goods, services or other things.

- 1.2 Any monetary contributions and levies payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), and all other moneys payable by and on behalf of the applicant are exclusive of GST.

- 1.3 Any non-monetary contribution or levy payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), including, but not limited to, the dedication or transfer of land to the Council or the transfer of some other asset to the Council, whether in tangible or intangible form, and all other non-monetary contributions payable by and on behalf of the applicant are also exclusive of GST.

- 1.4 Liability for GST (payable in respect of any taxable supply under this contributions plan whether monetary or non-monetary) is additional. It is payable by the applicant to the Council at the same time as all and any contributions, levies and other moneys are payable under this contributions plan and development consent.

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GST payable = The GST inclusive market price of the asset x  $\frac{1}{11}$ .

- 1.6 The Council will issue to the applicant, within twenty one (21) days of a request from the applicant, a tax invoice for the monies paid or the assets transferred by the applicant

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adjusted by the rate of the GST in accordance with the requirements of the relevant legislation.

Water: \$3420

Sewer: \$2820

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

**Note:** The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

### GENERAL

3. The development shall be completed in general accordance with Plan No 201A Sheets 1-8 prepared by GHD and dated 15/1/99, except where varied by these conditions.
4.
  - i. All site works, site drainage and footing designs are to be carried out strictly in accordance with the plans referred to in Schedule A.
  - ii. Prior to occupation of the buildings an engineering certificate from a suitably qualified structural/geotechnical engineer is to be submitted to Council certifying that all works covered in the plans referred to in Schedule A have been completed in accordance with those plans.
5. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.
6. No soil, sand, gravel, clay or other material shall be disposed of off the site, unless to a location approved by Council.
7. 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.
8. 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.
9. The provision of four (4) off street car parking spaces. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.
10. The door to a fully enclosed sanitary compartment must:-
  - i. open outwards; or
  - ii. slide; or

## Reports from Director Development Services

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- 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.
11. 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.
12. 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.
13. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve.
14. 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. frame prior to the erection of brick work or any wall sheeting
  - c. final inspection prior to occupation of the building
15. 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.
16. 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 Council 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.

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17. 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.
18. A mechanical exhaust fan wired to operate in phase with the lightswitch must be installed in the upper floor toilet to Unit 1 in accordance with Part 3.8.5 of the Building Code of Australia.
19. The glazier is to supply the PCA with certification that all glazing complies with AS 1288-1994 of the Building Code of Australia.
20. Manufacturers certification is to be provided to the PCA from the Roof Truss manufacturer to certify the roof truss design.
21. In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.

### **PRESCRIBED (BUILDING)**

22. 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.
23. A sign must be erected on the site in a prominent, visible position stating:



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- 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.
24. 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).
25. 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:
1. 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
  2. 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.
26. 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

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- (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.
27. 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.

### **FIRE (BUILDING)**

28. 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 -

- (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 Council prepared by the licensed Electrical Contractor certifying that the installation complies with the above, prior to occupation of the building.

### **ROADS/STREETS**

29. 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

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vehicular access and its reconstruction. Paving bricks are not acceptable unless laid on a 100mm thick concrete base.

### DRAINAGE/FLOODING

30. All roof waters and water from open car park areas 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.
31. 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.

### PLUMBING AND DRAINAGE

32. 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, prior to the erection of brick work or any wall sheeting;
  - c external drainage prior to backfilling.
  - d. completion of work.
33. A permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
34. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
35. 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.
36. 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.
37. Impervious floors, properly graded and drained are to be provided to all wet areas.
38. 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.
39. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.

### ENVIRONMENT PROTECTION

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40. 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.
41. All battered areas are to be topsoiled and grassed, or other suitable protection provided as soon as filling is placed adjacent to neighbouring properties.
42. 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.
43. 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.
44. Prior to commencement of building works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority. Erosion and sedimentation control devices should be installed in accordance with the publication "Managing Urban Stormwater Soils and Construction" prepared by the NSW Department of Housing. All erosion and sedimentation control shall be maintained throughout the period of construction.
45. The guttering downpiping and roof waste water disposal system is to be installed and operational before the roofing is installed.

### LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

In the event that the applicant is not satisfied with Councils determination, a right of appeal exists to the Land and Environment Court. The proposed development is not designated and therefore no third party appeal rights exist.

### 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 conditions.

### CONCLUSIONS

For the reasons outlined in the report to Council on 19 January 2000, it is recommended that the application be refused. However, if Council considers that the application is suitable for consent appropriate conditions have been included in this report.

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## Reports from Director Development Services

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### 2. ORIGIN: Development Control Unit

FILE REF: PF5430/1443 Pt2

#### REPORT TITLE:

**Proposal to Increase the Output at the CSR Readymix Quarry at Lot 1 DP 792256  
Terranora Road, Terranora**

#### SUMMARY OF REPORT:

A report on this development application was considered by Council at its meeting of 19 January 2000 where it was resolved "that this item be deferred to allow a report to be brought forward on contributions received from CSR Quarry operators". This report responds to this resolution.

#### RECOMMENDATION:

That :-

- A. In respect of the breach of development consent 88/372 Council seeks to rectify the breach through Consent Orders in the Land and Environment Court and the Director of Development Services be given delegation to negotiate the settlement and the settlement is to include provisions for the payment of a road maintenance contribution as follows:-
  - (i) Payment of a road maintenance contribution of 2.5 cents/tonne/km of material removed in excess of 200,000 tonnes from 1995 until 31/12/98; and
  - (ii) Payment of a road maintenance contribution of 1.5 cents/tonne/km of material removed in excess of 200,000 tonnes from 1/1/99 until the development consent for the increase in output from the quarry becomes operable.
- B. The applicant be advised that it is Council's intention to determine the application 96/322 by way of a Deferred Commencement consent as outlined in "B" below including the conditions and subject to CSR Limited entering into a "Deed of Agreement" with Council requiring payment of the following contributions:-
  - i. The payment of \$13,355 towards the provision of passing lanes.
  - ii. Payment of a road maintenance levy of 1.5 cents per tonne of material removed from the site by road transport per kilometre travelled from the quarry to the Pacific Highway. This levy only applies to material removed in excess of 200,000 tonnes per annum.
- C. Subject to "A" above, the development application for the increase in output from the quarry at Lot 1 DP 792256 Terranora Road, Terranora be approved by way of a "Deferred Commencement" consent subject to the following conditions.

## Reports from Director Development Services

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### Deferred Commencement Consent

This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule "A". Such evidence is to be provided within 3 months of the date of this notification.

Upon the consent authority being satisfied as to compliance with the matters set out in Schedule "A" the consent shall become operable and take effect from the date of notification under Section 92 of the Environmental Planning and Assessment Act, 1979 subject to the conditions set out as Schedule "B".

### Schedule "A"

Conditions imposed pursuant to Section 91AA of the Environmental Planning and Assessment Act, 1979 (unamended):-

1. A detailed quarry "plan of management" is to be submitted and approved by the Director Development Services and the Director Environment & Community Services including but not limited to the following:-
  - (a) The matters contained in Chapter 10 and Section 7.3.2 of the Environmental Impact Statement.
  - (b) Measures to notify residents in the locality before blasting. A list of residents potentially affected by blasting is to be submitted to the Director of Environment and Community Services. These residents are notified by telephone by the quarry operators at least 24 hours prior to each blast. Notification can cease at the request of the resident.
  - (c) An acoustic report is to be submitted to the Director of Environment and Community Services demonstrating that the recommended extreme limit as contained in the Environment Protection Authority guidelines, will not be exceeded, or written concurrence from the Environment Protection Authority (EPA) be submitted approving exceedance of recommended acceptable noise levels. Monitoring of noise levels is to be continued to be carried out at 3 month intervals and results are to be reported to Council and the EPA.
  - (d) Methods of monitoring of noise, dust, vibration and blast overpressure. An additional gauge to measure dust is to be provided at Residence 1 if agreed by the owner.
  - (e) A requirement that ground vibration, blast overpressure and dust emissions are to meet the Environment Protection Authority guidelines. Results are to be reported to Council and the Environment Protection Authority every six months.
  - (f) A requirement that any complaints are reported to the Environment Protection Authority.

## Reports from Director Development Services

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- (g) A detailed rehabilitation plan.
- (h) Methods of self compliance with speed limits and what will be done if drivers/contractors do not comply.
- (i) A requirement that the operators of the quarry are to cease operations during times of high wind speed as quantified by calculations using the results of dust deposition monitoring during varying wind speeds and directions.

### “Schedule B”

1. The development is to be completed generally in accordance with the Environmental Impact Statement prepared by Kinhill Cameron McNamara and dated July 1996 and the Plan of Management except where varied by these conditions.
2. All items in the Plan of Management are to be implemented immediately.
3. Compliance with all requirements of development consent 88/372 except where varied by these conditions.
4. The maximum annual extraction rate of material to be removed from the site is 350,000 tonnes per annum. Details of the amount of material extracted is to be submitted to Council every 3 months.
5. Compliance with all requirements of Council’s Environment & Community Services Division, specifically including the following:-
  - (i) The Plan of Management is to be implemented by the operators of the quarry and the procedures set out in the Plan are to be followed accordingly.
6. Compliance with all requirements of Council’s Engineering Services Division, specifically including the following:-
  - (i) Truck warning signs on Terranora Road either side of the access are to be displayed.
  - (ii) Upgrading of the existing intersection generally in accordance with Plan No. 97569 prepared by Bornhorst and Ward. The plan is to be amended and resubmitted to Council prior to commencing work including:-
    - \* guard rails being installed with RTA specifications;
    - \* all linemarking, including pavement arrows, are to be marked in accordance with RTA requirements;
    - \* the “Trucks Entering” warning signs are to be erected 100m on both sides of the intersection.
  - (iii) Where the construction work is on or adjacent to public roads, parks and drainage reserves and the development shall provide and maintain all



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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.

- (iv) The owner or contractor must not undertake any work within the public road reserve without giving Council's Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.
  - (v) 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 release of any linen plan of subdivision and/or prior to occupation of the buildings.
7. Compliance with all soil conservation and rehabilitation works contained in the Plan of Management.
  8. All amendments or modifications to the Plan of Management for the site are to be approved by the Director Development Services.
  9. Compliance with all requirements of the Environment Protection Authority.
  10. The operating hours of the quarry may only exceed the hours recommended in the EPA Noise Control Manual if written concurrence from the EPA is obtained and submitted to Council.

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### REPORT:

#### BACKGROUND

On 19 January 2000 Council considered a report on a development application to increase the output at the CSR Readymix quarry at Lot 1 DP 792256 Terranora Road, Terranora. At this meeting Council resolved:-

*“RESOLVED that this item be deferred to allow a report to be brought forward on contributions received from CSR Quarry operations”.*

At this meeting a confidential item was brought into open Council concerning a breach of development consent 88/372 where the maximum annual output of material from the quarry had been exceeded from 1995 until present. At this meeting Council resolved:-

*“RESOLVED that this item be deferred”.*

A copy of both these reports is included in the Items Deferred section of this business paper.

#### CONTRIBUTIONS

Development consent 88/372 was issued on 26 February 1990 for extensions to an existing hard rock quarry. Condition 16 of this consent requires.

*“16. Terranora Road to be upgraded - 4.8-5.4km from access (Dobbys Crescent to Fraser Drive):-*

- *the road shall be widened and concrete invert constructed to the satisfaction of the Shire Engineer at the applicant's expense.*
- *estimate cost \$26,000.00”.*

As a result of this condition a contribution of \$26,000 was paid and Council undertook the required work. This is the only contribution that was required to be paid for roadworks in respect of the quarry operations. No road maintenance contribution has been placed on any consent for the quarry.

In respect of the development application for the increase in output and the quantity of material that has been removed from the quarry in excess of the 200,000 tonne per annum limit, additional contributions for road maintenance would be required. No contributions could be levied for the first 200,000 tonnes of material removed each year. As Council is aware the annual extraction limit for this quarry has been exceeded since 1995 and therefore Council should seek contributions in respect of the additional material removed.

Section 94 Plan No. 4- Tweed Road Development Contributions indicates that a heavy haulage contribution of 2.5 cents/tonne/kilometre hauled is required for extractive industries. This contribution is applied to the destination developments rather than the quarry operations. However, quarry operators may enter into individual agreements with Council for the payment of a lesser levy based on average quantities, average distances hauled and Councils historical road costs. The levy has been calculated at 1.5 cents/tonne/kilometre and if a quarry operator pays this contribution the destination development is not required to pay. There is no provision in the Section 94 contribution plan to enable Council to place a condition on a consent for a quarry to pay contributions or enter

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into agreements as the Section 94 Plan provides for the contribution to be levied on the destination development. CSR is presently not part of the industry agreement for payment of contributions but has requested to become part of the agreement.

The CSR Readymix quarry is an a different situation to many of the Shires quarries as most of the material is transported to Queensland rather than to destinations within Tweed Shire. Therefore, Council does not obtain maintenance contributions for material extracted from this quarry as destination developments cannot be levied and a condition cannot be placed on the quarry consent for maintenance. Therefore, it is considered that Council has the following options in this regard:

1. Request the applicant to enter into a Deed of Agreement with Council to pay a contribution of 1.5 cents/tonne/km hauled in respect of any material removed in excess of 200,000 tonnes per annum from the date in which the development consent for the increase in extraction becomes operable; or
2. Advise the applicant that Council accepts their offer to become part of the quarry industry agreement to pay a maintenance contribution of 1.5 cents/tonne/km in respect of material removed in excess of 200,000 tonnes per annum.
3. That in respect of the breach of development consent 88/372 for exceeding the maximum annual extraction rate the recommended negotiated consent orders include the following:-
  - (i) Payment of a road maintenance contribution of 2.5 cents/tonne/km of material removed in excess of 200,000 tonnes from 1995 until Section 94 Plan No. 4 was amended in respect of levying destination developments (ie. 1/1/99).
  - (ii) Payment of a road maintenance contribution of 1.5 cents/tonne/km of material removed in excess of 200,000 tonnes from 1/1/99 until the development consent for the increase in output from the quarry becomes operable.

It should be noted that based on a rate of 1.5 cents/tonne/km of material hauled, using a distance of approximately 8.3km from the quarry site to the Pacific Highway along Terranora Road, a maintenance levy of approximately \$62,870 would be required for the material already removed in excess of the 200,000 tonne limit. The Manager, Works has advised that this contribution could be used for road resurfacing which would equate to approximately 1.5km at todays costs.

### CONCLUSION

As a deed of agreement was previously recommended for the payment of a contribution towards the provision of passing lanes, it is considered that it would be appropriate to include a requirement for the payment of a road maintenance contribution of 1.5 cents/tonne/km for material removed from the site in excess of 200,000 tonnes. A deed of agreement prior to any consent for the increase in output would be appropriate as most of the material removed from the site has a Queensland destination and therefore Council cannot obtain the levy from destination developments.

In addition, it is considered that in respect of the previous breach of consent for exceeding the annual extraction amount, Council should include a road maintenance contribution as part of negotiated consent orders based on the two rates of 2.5 cents/tonne/km and 1.5 cents/tonne/km as outlined previously.

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### 3. ORIGIN: Development Control Unit

**FILE REF: DA0743/15 Pt1**

#### REPORT TITLE:

**Proposed Erection of an Attached Dual Occupancy at Lot 920 DP 877658 Brighton Street, Banora Point**

#### SUMMARY OF REPORT:

The proposal involves the erection of an attached dual occupancy at Lot 920 DP 877658 Brighton Street, Banora Point. The building is proposed as a single storey structure of brick with concrete roof tiles. The subject site is located on the south eastern side of Brighton Street and comprises a total site area of 789.6m<sup>2</sup>. The site is a nominated dual occupancy block with restriction on access from Leisure Drive. The site was previously used and approved as a temporary car park under Development Application K98/428 associated with the display village. The proposal was notified to adjoining properties with two (2) objections received during the notification period.

#### RECOMMENDATION:

That the development application submitted by Cavalier Homes Australia Pty Ltd for an attached dual occupancy at Lot 920 DP 877658 Brighton Street, Banora Point be approved subject to the following conditions:-

#### PRE-REQUISITES

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.

- (ii) **GST**

1.1 In this Clause 1:

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“GST means any tax, impost or duty, including any goods and services, consumption, value added or similar tax applying on goods, services or other things introduced by the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and associated legislation (as amended), or under legislation passed by a State or Territory Parliament which is charged or levied on goods, services or other things.

- 1.2 Any monetary contributions and levies payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), and all other moneys payable by and on behalf of the applicant are exclusive of GST.
- 1.3 Any non-monetary contribution or levy payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), including, but not limited to, the dedication or transfer of land to the Council or the transfer of some other asset to the Council, whether in tangible or intangible form, and all other non-monetary contributions payable by and on behalf of the applicant are also exclusive of GST.
- 1.4 Liability for GST (payable in respect of any taxable supply under this contributions plan whether monetary or non-monetary) is additional. It is payable by the applicant to the Council at the same time as all and any contributions, levies and other moneys are payable under this contributions plan and development consent.
- 1.5 In respect of any non-monetary contribution or levy referred to in clause 1.3 above, the GST payable shall be calculated as follows:

GST payable = The GST inclusive market price of the asset x  $\frac{1}{11}$ .

- 1.6 The Council will issue to the applicant, within twenty one (21) days of a request from the applicant, a tax invoice for the monies paid or the assets transferred by the applicant adjusted by the rate of the GST in accordance with the requirements of the relevant legislation.
  - a. Tweed Road Contribution Plan: \$1,684.00  
 S94 Plan No. 4 (Version 4.0)  
 (Tweed Heads South Sector 2 - Residential)
  - b. Banora Point West/Tweed Heads South (DCP3)  
 Open Space (Casual): \$1,059.00  
 S94 Plan No. 1
  - c. Banora Point West/Tweed Heads South (DCP3)  
 Open Space (Structured): \$2,407.00

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|    | S94 Plan No. 1   |          |
| d. | Community Facilities (DCP3 area):  | \$265.00 |
|    | S94 Plan No. 3   |          |
| e. | Shirewide Library Facilities:  | \$150.00 |
|    | S94 Plan No. 11  |          |
| f. | Eviron Cemetery/Crematorium Facilities:  | \$44.00  |
|    | S94 Plan No. 13  |          |
| g. | Emergency Facilities (Surf Lifesaving)   | \$41.40  |
|    | S94 Plan No. 16  |          |
| h. | Extensions to Council Administration Offices<br>& Technical Support Facilities | \$178.35 |
|    | S94 Plan No. 18  |          |
| i. | Cycleways  | \$50.00  |
|    | S94 Plan No. 22  |          |
2. A **certificate of compliance** (CC) under Part 3 Division 2 of the Water Supply Authorities Act 1987 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

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 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

### **GST**

#### 1.1 In this Clause 1:

"GST means any tax, impost or duty, including any goods and services, consumption, value added or similar tax applying on goods, services or other things introduced by the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and associated legislation (as amended), or under legislation passed by a State or Territory Parliament which is charged or levied on goods, services or other things.



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- 1.2 Any monetary contributions and levies payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), and all other moneys payable by and on behalf of the applicant are exclusive of GST.
- 1.3 Any non-monetary contribution or levy payable or imposed as a condition of this contributions plan pursuant to Section 94 of the *Environmental Planning and Assessment Act, 1979* (NSW) (as amended), including, but not limited to, the dedication or transfer of land to the Council or the transfer of some other asset to the Council, whether in tangible or intangible form, and all other non-monetary contributions payable by and on behalf of the applicant are also exclusive of GST.
- 1.4 Liability for GST (payable in respect of any taxable supply under this contributions plan whether monetary or non-monetary) is additional. It is payable by the applicant to the Council at the same time as all and any contributions, levies and other moneys are payable under this contributions plan and development consent.
- 1.5 In respect of any non-monetary contribution or levy referred to in clause 1.3 above, the GST payable shall be calculated as follows:

GST payable = The GST inclusive market price of the asset x  $\frac{1}{11}$ .

- 1.6 The Council will issue to the applicant, within twenty one (21) days of a request from the applicant, a tax invoice for the monies paid or the assets transferred by the applicant adjusted by the rate of the GST in accordance with the requirements of the relevant legislation.

Water:      \$3,420.00

Sewer:      \$2,820.00

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

**Note:** The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

3. A detailed plan of landscaping is to be submitted and approved by Council's Director, Development Services prior to the issue of a Construction Certificate. All landscaping work is to be completed in accordance with the approved plans prior to any use or occupation of the building.

### GENERAL

4. The development shall be completed in general accordance with Plan No 99955 Sheets 1 to 4 drawn by Century 21 New Homes, as amended by Sheet 1 received 10 January 1999, except where varied by these conditions.

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5. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.
6. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
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 provision of a minimum of two (2) off street car parking spaces. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.
9. Disposal and removal of waste from each dwelling in accordance with details submitted to and approved by Director of Environment & Community Services Division prior to any occupation of the building.
10. The premises shall be suitably identified by Unit No. (where appropriate) and Street Number displayed in a prominent position on the facade of the building facing the primary street frontage, and is to be of sufficient size to be clearly identifiable from the street.
11. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve.
12. 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.
13. A certificate is to be submitted by a Registered Surveyor certifying that all habitable floor areas are constructed above 2.95 metres AHD, and certifying the actual finished level of the total site. Certification of those levels by a registered surveyor must be submitted to the PCA prior to proceedings past floor level to ensure that the floor is above flood level.
14. 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:

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- (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 Council 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.

- 15. 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.
- 16. The glazier is to supply the PCA with certification that all glazing complies with AS 1288-1994 of the Building Code of Australia.
- 17. Manufacturers certification is to be provided to the PCA from the Roof Truss manufacturer to certify the roof truss design.
- 18. 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

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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.

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

### **PRESCRIBED (BUILDING)**

20. 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.
21. 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.
22. 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).
23. 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:
- 1. 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
  - 2. 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

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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.
24. 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.
25. 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)**

26. 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.

### **FIRE (BUILDING)**

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

## Reports from Director Development Services

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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 -

- (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 Council prepared by the licensed Electrical Contractor certifying that the installation complies with the above, prior to occupation of the building.

### **DRAINAGE/FLOODING**

- 28. All roof waters and water from open car park areas 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.
- 29. 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.
- 30. The habitable floor level of the building to be at a level of not less than RL 2.95m AHD.
- 31. Building materials used below Council's minimum floor level of RL 2.95m AHD must not be susceptible to water damage.

### **ROADS/STREETS**

- 32. The owner or contractor must not undertake any work within the public road reserve without giving Council's Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.
- 33. 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

## Reports from Director Development Services

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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.

34. The concrete driveway across the footpath is to be 100 millimetres thick minimum and reinforced with F72 mesh with 40mm cover.
35. The driveway is to be constructed 3 metres wide at the property boundary and 3 metres wide at the kerb line with a uniform taper if a splay is specified.
36. Where the kerb is to be removed for driveway laybacks, stormwater connections, pram ramps or any other reason, the kerb must be sawcut on each side of the work to enable a neat and tidy joint to be constructed.

### ENVIRONMENT PROTECTION

37. 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.
38. 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.
39. All necessary precautions shall be taken to minimise impact from dust during filling operations from the site and also from construction vehicles.
40. 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.
41. 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.
42. Clothes drying facilities are not to be placed along the Brighton Street or Firestone Drive frontages of the site which are visible from the street.
43. Prior to commencement of building works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying

## Reports from Director Development Services

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Authority. Erosion and sedimentation control devices should be installed in accordance with the publication "Managing Urban Stormwater Soils and Construction" prepared by the NSW Department of Housing. All erosion and sedimentation control shall be maintained throughout the period of construction.

44. The guttering downpiping and roof waste water disposal system is to be installed and operational before the roofing is installed.

### 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, prior to the erection of brick work or any wall sheeting;
  - c external drainage prior to backfilling.
  - d. completion of work.
46. A permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
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. Water plumbing shall **not** be installed in concrete slabs or be laid under slabs on the ground.
49. Pressed steel baths and shower trays are to be bedded to provide continuous support to the base of the unit.
50. 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.
51. Drainage lines must not penetrate footings unless certification is first obtained from a practising Structural Engineer.
52. 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.
53. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.
54. All drainage lines are to be continuously bedded in accordance with the provisions of Section 5.4 AS 3500.2 - 1990.



## Reports from Director Development Services

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55. 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.
56. The finished floor level of the building should finish not less than 225mm above finished ground level.

## Reports from Director Development Services

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### REPORT:

**Applicant:** Cavalier Homes Australia Pty Ltd  
**Owner:** Fobuxi Pty Ltd and Lanlex Pty Ltd  
**Location:** Lot 920 DP 877658 Brighton Street, Banora Point  
**Zoning:** 2(c) Urban Expansion  
**Est. Cost:** \$135,000

### BACKGROUND

The proposal involves the erection of an attached dual occupancy at Lot 920 DP 877658 Brighton Street, Banora Point.

The proposed building is single storey in height and constructed of brick with concrete roof tiles. Each unit is to comprise three (3) bedrooms.

The subject site is located on the south eastern side of Brighton Street, with frontages to Firestone Drive and Leisure Drive. The subject site comprises a total site area of 789.6m<sup>2</sup>. The surrounding locality is characterised by predominantly single storey residential development. Previous approval was granted under Development Application K98/428 for the use of the subject site as a temporary car park associated with display village.

Vehicular access to the site is proposed from Brighton Street. It is noted that a restriction on access applies to the subject site with no access permitted from Leisure Drive. Car parking is proposed for two vehicles per unit.

The subject building is to be setback a minimum of 6.24m from the Brighton Street frontage, a minimum of 900mm from the south western boundary, a minimum of 1.942m from the Leisure Drive frontage and a minimum of 3m from the Firestone Drive frontage. A building line variation has been lodged to vary the 3m setback requirement to Leisure Drive.

The proposal was notified to adjoining and adjacent properties which were given 14 days in which to make any submissions. Two objections were received during the notification period.

## Reports from Director Development Services

### SITE DIAGRAM



### CONSIDERATIONS UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

#### (a) (i) Tweed Local Environmental Plan 1987 (TLEP 1987)

The subject site is zoned 2(c) Urban Expansion in accordance with TLEP 1987. The proposal is permissible with Council's consent in this zone.

Clause 16B(b) limits floor space ratio to 0.5:1. The proposed floor space ratio is 0.33:1. The proposal is satisfactory in this regard.

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

The proposal does not contravene the provisions of the NCREP 1988.

#### State Environmental Planning Policies (SEPPs)

No particular SEPPs are applicable.

#### (ii) Draft Tweed LEP 1998

There are no major implications as a result of Draft Tweed LEP 1998.

## Reports from Director Development Services

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### (iii) Development Control Plans (DCPs)

#### **DCP2 - Site Access and Parking Code**

Council's Parking Code requires the provision of 1 space per unit for dwellings below a gross floor area of 125m<sup>2</sup>. It is proposed to provide a double garage allocated to each unit. The proposal is satisfactory in regards to Council's requirements.

Access is proposed from Brighton Street. A restriction on access applies with no access permitted from Leisure Drive. Access from Firestone Drive is difficult due to the location of the site in relation to the intersections with Brighton Street and Leisure Drive and the location of roundabouts. The most feasible access option is from Brighton Street.

Concerns were raised, however, with the applicant regarding the location of the driveway in proximity to the intersection of Brighton Street/Firestone Drive and also the location of a pram ramp within the location of the driveway. Following consultation with Councils Engineers and a review of turning circles, the applicant has amended the driveway location further towards the south-western boundary within the location of an existing temporary driveway approved to the temporary car park on Brighton Street. This access is now considered to be satisfactory.

#### **DCP6 - Multi Dwelling Housing**

The proposal requires a minimum open space requirement of 20% of the total site area being 158m<sup>2</sup> with a minimum dimension of 3m. It is proposed to provide approximately 210m<sup>2</sup> of area allocated as landscaped/open space with a minimum dimension of 3m. The proposal satisfies Council's requirements in this regard. DCP6 also requires the provision of a minimum area of useable open space of 25m<sup>2</sup> with a minimum dimension of 4m. It is proposed to provide areas larger than 25m<sup>2</sup> allocated to each unit as useable open space. The proposal is satisfactory in this regard.

The subject dwelling is proposed to be setback 6.24m from the front Brighton Street boundary, a minimum of 900mm from the south-western side boundary, a minimum of 1.942m from the south-eastern Leisure Drive boundary and a minimum of 3m from the Firestone Drive boundary. The required setback is 6m from the front Brighton Street boundary and 3m from the secondary front boundaries of Firestone Drive and Leisure Drive and 900mm from any side boundaries. A building line variation has been lodged to vary the 3m setback requirement from the Leisure Drive frontage at the south eastern corner of the building which proposes a setback of 1.942m. Council's policy in regards to building line variation requires the consent from the adjoining neighbours to vary the setback requirement. Where no consent is submitted a notification letter is sent to adjoining neighbours enabling them to peruse the plan. It is noted that an objection has been raised to the development from the adjoining neighbour to the proposed dual occupancy development. The proposed variation relates to one corner of the building to Leisure Drive only with a variation of approximately 1.1m. It is noted that a large acoustic fence is located along the Leisure Drive/Firestone Drive frontage of the subject site and landscaping is also proposed in these locations to reduce the impact of hard

## Reports from Director Development Services

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paved and building areas. It is considered that the building will not be visible from Leisure Drive and will have minimal impacts on the streetscape. The proposed variation does not have an impact on the adjoining neighbour. Given the site has three frontages which limits development on site, it is considered that the request for variation is satisfactory and that this does not provide justification for refusal of the development application.

The building is to be maintained to a height of 1 storey and as such there will be minimal impacts in terms of overlooking to adjoining properties. Given the orientation of allotments there will also be minimal impacts in terms of overshadowing.

Having regard to the matters discussed above it is considered that the proposal is satisfactory in regards to the provisions of DCP6.

### **DCP3 - South Tweed Heads/Banora Point West**

The proposal does not contravene the provisions of DCP3.

### **DCP5 - Development of Flood Liable Land**

Any approval to be conditioned for compliance with DCP5.

### **DCP29 - Dual Occupancy, Black Rocks Estate, Banora Waters Stages 5-10, 12 and 13**

DCP29 relates to nomination of lots for dual occupancy purposes at subdivision stage. It is noted that the subject site is a nominated dual occupancy lot in this subdivision. The proposal is satisfactory in this regard.

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

As indicated, the proposal involves the construction of a single storey building of brick with concrete roof tile construction. Each unit within the dual occupancy development is to comprise 3 bedrooms with a large family/living area, kitchen and bathroom facilities. A double garage is to be allocated to each unit with access provided from Brighton Street. The development is proposed on a nominated dual occupancy block within the subdivision.

Adjoining the site to the south west is a single storey dwelling of brick and tile construction. To the north and north west on the opposite side of Brighton Street is predominantly single storey dwellings. The subject site was previously approved under development consent 98/428 for a temporary car park associated with the display village. It is noted that vehicular access to this temporary car park was also proposed from Brighton Street.

The building is considered to be compatible in design and materials with development within the locality. The development satisfies the useable open space and landscaping provisions contained within DCP6. Notwithstanding the non-compliance with the 3m setback to Leisure Drive it is considered that the proposal is a satisfactory form of

## Reports from Director Development Services

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development for the site. Given the location of an existing acoustic fence to the Leisure Drive/Firestone Drive frontage of the site, visibility of the buildings will be limited from Leisure Drive. Given the orientation of the allotments and the maintaining of the building height to a single storey design, there will be minimal impacts in terms of overshadowing or overlooking to adjoining properties.

Landscaping is proposed to all frontages to reduce the impact of hard paved and building areas. Any approval to be conditioned for a detailed landscape plan to be submitted and approved by the Director of Development Services prior to release of the construction certificate.

In a submission to Council, concerns were raised regarding social and economic impacts of this proposal on the locality, particularly perceived tenants of dual occupancy developments. It is noted that Council cannot place a restriction on occupation of such units and a refusal on this basis cannot be justified. There is no evidence to suggest that there will be an impact on property values as a result of this proposal.

Having regard to the matters discussed above the proposal is considered to be satisfactory in this regard.

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

As indicated the subject site is a nominated dual occupancy allotment in this subdivision. The site is restrictive in terms of having three (3) street frontages to Brighton Street, Firestone Drive and Leisure Drive. The proposal satisfies Council's requirements in terms of provision of open space. Access is restrictive with no access permitted from Leisure Drive. Vehicular access is proposed from Brighton Street which has been addressed above. The development is considered to be compatible with development in the surrounding locality. Having regard to these matters and the matters discussed above it is considered that the proposed development is suitable for the site.

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

The proposal was notified to adjoining and adjacent properties which were given 14 days in which to make any submissions. Two objections were received during this advertising/notification period. The issues raised in these submissions are addressed below.

**View Loss**

Concerns have been raised that the building will block views.

**Comment**

The building has been maintained to a height of one storey and the surrounding area is generally flat. An 1800mm high fence is situated along the side boundary to the adjoining property to the south west whereby already restricting views. It is considered that there will be negligible impact on views from adjoining properties as a result of the development.

## Reports from Director Development Services

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### **Building Line Variation**

As previously indicated the adjoining property has not given their consent to the building line variation.

#### **Comment**

This issue has been addressed previously.

### **Vehicular Access**

Concerns were raised regarding proposed access from Brighton Street.

#### **Comment**

As previously indicated, the Section 88B instrument relating to the subject site restricts any access from Leisure Drive. Access to Firestone Drive is also difficult given the location of two roundabouts within this proximity and this being a gateway to this estate. The only feasible access option is from Brighton Street. It is noted that a driveway previously accessed the temporary car parking area on Lot 920, servicing the display village. As indicated, the proposed driveway was located within proximity to a pram ramp and concerns were raised with the applicant regarding its proximity to the intersection with Firestone Drive. Accordingly, the applicant has amended the driveway access which is now considered to be satisfactory. Further, it is noted that traffic generated as a result of the development for dual occupancy purposes would be minimal.

### **Proposed ownership/rental and potential tenants**

Concerns have been raised regarding potential tenants of the subject dwellings.

#### **Comments**

As previously indicated, Council cannot restrict occupation arrangements in regards to such developments and refusal on this basis cannot be justified.

### **Location of clothes drying facilities**

Concerns are raised regarding potential use of Brighton Street frontage and Firestone Drive frontage of the site for the purposes of clothes drying facilities.

#### **Comment**

It is considered that any approval to be conditioned to ensure that clothes drying facilities are not situated along the Brighton Street/Firestone Drive frontage of the site.

### **Decrease in property values**

There is no evidence to suggest that there will be a decrease in property values as a result of the proposed development.

## Reports from Director Development Services

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(e) **The Public Interest**

Having regard to the matters discussed above the proposal is considered to be satisfactory in the circumstances of the case and the public interest.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS**

If the application is refused the applicant has a right of appeal to the Land and Environment Court. There are no third party appeal rights.

**OPTIONS**

The following options are available to Council regarding the proposed development.

1. Approve the application subject to conditions.
2. Refuse the application.

**CONCLUSION**

The proposal was referred to Council's Building Services Unit for comment which raised no objections subject to conditions. In terms of the assessment of the dual occupancy proposal the development is considered to be satisfactory for the subject site and is recommended for conditional consent.

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## Reports from Director Development Services

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## Reports from Director Development Services

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**4. ORIGIN: Subdivision Unit**

**FILE REF: GS4/93/76 Pt3**

**REPORT TITLE:**

**Modification of Development Consent S96/76 - Lots 1 and 2 DP 828298 Crescent Street,  
Cudgen - Cudgen Heights Stage 3**

**SUMMARY OF REPORT:**

At its meeting on 19 January, 2000, Council considered a report on this matter and resolved that the item be deferred to seek clarification of GST issues. The purpose of this report is to provide information on Council's current practice relating to developer contributions and the GST.

**RECOMMENDATION:**

That this report be considered in conjunction with the deferred item.

## Reports from Director Development Services

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### REPORT:

At its meeting on 19 January, 2000, Council considered a report on this matter and resolved that the matter be deferred to seek clarification of GST issues.

As noted in the above report, Council at its meeting of 17 August, 1994 resolved to modify the consent to reduce the number of lots from 96 to 89. However, the relevant conditions requiring contributions were not amended to reflect the reduced number of lots. It is therefore proposed that this anomaly be corrected as part of this current Section 96 modification application and accordingly the recommendation includes amended conditions based on the reduced number of lots.

Based on advice from Council's Barrister (a copy of which is attached to the Confidential business paper) it has been Council's practice to impose on all **new** consents the wording recommended by Council's Barrister. However, as this is only a modification application and as reference to the conditions is only to correct a previous anomaly it is not considered appropriate to include the standard GST wording in this modification.

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## Reports from Director Development Services

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**5. ORIGIN: Development Control Unit**

**FILE REF: PF3668/5 Pt3**

**REPORT TITLE:**

**Revised Lease Agreement - Twin Towns Services Club**

**SUMMARY OF REPORT:**

As one of the conditions of the Twin Towns Resort approval, the existing lease agreement for the use of part of the closed Boundary Street road reserve is to be revised to reflect the amended leased area. All documentation is to be executed under the common seal of the Council.

**RECOMMENDATION:**

That :-

1. This report be received and noted.
2. All documentation be executed under the Common Seal of Council.

## Reports from Director Development Services

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### REPORT:

Development Consent 98/84 authorised the construction of the recently completed Twin Towns Resort. The approval authorised modifications to the existing leased area in front of the Resort comprising part of the former Boundary Street road reserve. Condition 5 of the consent provided as follows:-

*“Amendment of the lease (where necessary) held by Twin Towns Services Club over part Lot 1 DP 860885 (formerly part of Boundary Street) to accommodate the proposed pedestrian footpath works referred to in Condition 4”.*

Council has requested a revised valuation for rental purposes from the Valuer General and is currently negotiating the terms of an amended lease.

All documentation is required to be executed under the Common Seal of Council pursuant to a resolution of Council.

# Reports from Director Development Services

STANDARD AND SEALS ONLY

**PRELIMINARY COPY ONLY**

**PLAN OF SUBDIVISION OF LOT 1 IN D.P. 860665 FOR LEASE PURPOSES**

Length set as per title. Section Area: 1.600

LG A  
**TWEED TWEED HEADS TERRANORA ROUS**

Localship:  
**TERRANORA**

County:  
**ROUS**

No. of Sheets: 1 of 1

Surveyor's Practical Registration 1996

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**STREET LINES**

NO.	BEARING	DIST.	ARC	END
1	70°51'10"	4.20		
2	74°45'10"	6.71		
3	64°15'10"	11.22		
4	110°41'	4.76		
5	110°41'	17.425		
6	64°15'10"	17.425		
7	64°15'10"	3.425		
8	64°15'10"	17.425		
9	64°15'10"	17.425		
10	64°15'10"	17.425		

**CURVED LINES**

NO.	BEARING	DIST.	ARC	END
1	63°55'50"	4.015	5.711	2.563

**SOBRET PRACTICE REGULATIONS 1988 - CLASS 73/22**

ORDER	E	N	ZN	AC
P.H. 40188	157289.770	188282.517	562	1
P.H. 40181	157555.856	188276.162	562	1
P.H. 40190	157121.285	188272.589	562	1

SOURCE: 1:50 CANOS DEPT. 1/12/79  
CORRECTED SEA LEVEL AND SCALE FACTOR 0.9956

**PRELIMINARY TO SECTION 88A OF THE CONVEYANCE ACT 1919 INTENDED TO CREATE:**

1. EASEMENT FOR ELECTRICITY PURPOSES 1 WIDE AND VARIABLE WIDTH

## Reports from Director Development Services

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# Reports from Director Corporate Services

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**6. ORIGIN: Financial Services Unit**

**FILE REF: Banking**

**REPORT TITLE:**

**Bank Overdraft Requirements for 2000**

**SUMMARY OF REPORT:**

This report presents an annual review of bank overdraft requirements.

**RECOMMENDATION:**

That :-

1. The application be made for an overdraft limit of \$840,000 and contingent liability limit of \$340,000 with the Commonwealth Bank, and
2. All documentation be executed under the Common Seal of Council.

## Reports from Director Corporate Services

### REPORT:

Council's banker, the Commonwealth Bank has forwarded an application form for an annual review of Tweed Shire Council's overdraft limits which may be required by Council.

#### *"Annual Review of Banking Facilities*

*Council's banking facilities is now due for review. It would be appreciated if you could arrange to have the enclosed "Advances to Local Government and Other Public Bodies" form completed and forward to us together with a copy of Council's 1999 audited financial statements. We would also be interested to receive "Report to Ratepayers".*

*It would also be of assistance to our review if you could advise if Council has sought a borrowing allocation and amount for this financial year."*

Council uses the bank overdraft facility on a very occasional basis as its investment strategy has immediate access to a "call" 24 hour account at the Commonwealth Bank.

The existing and proposed limits for the application are as follows:-

	<b>Existing Limit</b>	<b>Proposed Limit</b>
Direct Liabilities		
Overdraft Limit	\$800,000	\$800,000
Business Card	\$ 40,000	\$ 40,000
Contingent Liabilities		
Autopay (EFT)	\$340,000	\$340,000
<b>Total</b>	<b>\$1,180,000</b>	<b>\$1,180,000</b>

### COMMENTS

A copy of Council's audited 1998/1999 Financial Statements will be forwarded to the Commonwealth Bank as well as details of Council's proposed loan borrowing for 1999/2000.

## Reports from Director Corporate Services

### 7. ORIGIN: Financial Services Unit

**FILE REF:** Budget

**REPORT TITLE:**

**Quarterly 1999/2000 Budget Review - 31 December 1999**

**SUMMARY OF REPORT:**

This report is the second quarterly budget review for this financial year and summarises the major expenditure and income changes to the 1999/2000 Budget since 30 September 1999. Based on current projections to 30 June 2000, Council will have a balanced budget in the General Fund.

**RECOMMENDATION:**

That:-

1. The Quarterly Budget Review Statement as at 31 December 1999 be adopted
2. The expenditure and income as detailed below be voted and adjusted in accordance with the revised total expenditure and income for the year:

Item & Description	Negative (contribute to deficit) \$	Positive (contribute to surplus) \$
<b>A. GENERAL FUND</b>		
1. Election costs	15,000	
2. Regional organisations subscription costs reduced		8,000
3. Tweed Link		10,000
4. Telephone expenses	25,000	
5. Postage costs	3,000	
6. Bank charges	25,000	
7. Financial Services salaries	10,000	
8. Valuation fees for rating		5,000
9. Pensioner rebate subsidy/grant		5,000
10. Superannuation	35,000	
11. Fire Control Centre - capital works	15,000	
12. Fire control Centre - income loans		15,000
13. Section 94 charges - civic buildings		20,000
14. Cemeteries Section 94 - income	74,000	
15. Development fees		49,500
16. Subdivision Control legal costs	5,000	
17. Subdivision charges		33,000
18. Building Control income		77,000
19. Dog registration fees	8,000	
20. Cemeteries income		12,000
21. Life saving facilities	4,000	
22. Bilambil sports ground maintenance	15,000	
23. Industrial land feasibility study	10,000	
24. Workplace safety training	5,000	
25. Payroll/HR software support	8,000	
26. Loan repayment reserve		6,500

## Reports from Director Corporate Services

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<b>B. Water Fund</b>		
Rate Income		50,000
Water Sales - reduce budget estimate	215,000	
Transfer from reserve		165,000
<b>C. Sewerage Fund</b>		
Rate Income		255,000
Interest on Investments	148,500	

# Reports from Director Corporate Services

## REPORT:

### BUDGET REVIEW - 31 DECEMBER 1999 (QUARTERLY BUDGET REVIEW)

#### INTRODUCTION

The following summary Financial Statement is submitted in accordance with the Local Government Act 1993 - Financial Management Regulations and shows details of Council's financial position for the period ending 31 December 1999 and estimated end of year financial position as at 30 June 2000.

This statutory Budget Review is prepared at the close of each quarter and shows the financial result between the budgeted income and expenditure adopted by Council and the revised total expenditure and estimated total income on present trends for the year.

#### FINANCIAL PERFORMANCE

The second financial review of Council's 1999/2000 budget has been carried out as at 31 December 1999. A further review will be carried out on 31 March 2000.

Council in its Management Plan set a target of having a balanced budget for year in General Fund. Based on present trends this will be achieved.

As at 31 December 1999 Council continued to maintain its strong control over expenditure. While some uncertainty surrounds future movements in revenue from building and development approval income, the current year's figures are above budget projections

Based on current figures the end of year financial result for Water and Sewerage Funds will be in accordance with 1999/2000 budget estimate.

Council has the opportunity at this "quarterly review" to vary program Budget allocations.

#### BUDGET VARIATIONS

A. Item & Description	Negative (contribute to deficit) \$	Positive (contribute to surplus) \$
<b>GENERAL FUND</b>		
1. Election costs increased to \$165,000	15,000	
2. Regional organisations subscription costs reduced		8,000
3. Tweed Link - net cost reduced		10,000
4. Telephone expenses	25,000	
5. Postage costs	3,000	
6. Bank charges	25,000	
7. Financial Services salaries	10,000	
8. Valuation fees for rating - reduced budget		5,000
9. Pensioner rebate subsidy - increased grant		5,000
10. Superannuation - increased Council employer contribution	35,000	
11. Fire Control Centre - capital works airconditioning	15,000	
12. Fire control Centre - income loans (transferred from cemetery loan)		15,000
13. Section 94 charges - civic buildings		20,000
14. Cemeteries Section 94 - income decreased	74,000	
15. Development fees		49,500

# Reports from Director Corporate Services

16. Subdivision Control legal costs	5,000	
17. Subdivision charges		33,000
18. Building Control income growth		77,000
19. Dog registration fees		8,000
20. Cemeteries income - additional fees		12,000
21. Life saving facilities - Duranbah Beach	4,000	
22. Bilambil sports ground maintenance to June 2000	15,000	
23. Industrial land feasibility study	10,000	
24. Workplace safety training	5,000	
25. Payroll/HR software support	8,000	
26. Loan repayment reserve		6,500
<b>Total</b>	<b>\$249,000</b>	<b>\$249,000</b>
<b>B. Water Fund</b>		
Rate Income		50,000
Water Sales - reduce budget estimate	215,000	
Transfer from reserve		165,000
<b>C. Sewerage Fund</b>		
Rate Income		255,000
Interest on Investments	148,500	

**STATUTORY STATEMENT - LOCAL GOVERNMENT FINANCIAL REGULATIONS  
(SECTIONS 6 & 7) BY "RESPONSIBLE ACCOUNTING OFFICER"**

The responsible accounting officer of a council must:-

- (b) If any instance arises where the actual income or expenditure of the council is materially different from its estimated income or expenditure, report the instance to the next meeting of the council.
- 9.(1) Not later than 2 months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure (including the sub-estimates) set out in the management plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.
  - (2) (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure; and
  - (b) if that position is unsatisfactory, recommendations for remedial action.

**STATUTORY STATEMENT**

**I consider that the financial position of Council is satisfactory "having regard to the original estimate of income and expenditure".**



R R Norvill CPA  
**"Responsible Accounting Officer"**  
 Manager Financial Services  
 Tweed Shire Council

Dated 17 January 2000

# 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 1999

Revised as at 31 December 1999

Function	Original		Revised		Net Cost	
	Expenditure	Income	Expenditure	Income	Original	Revised
Administration	10923	533	10852	587	10,390	10265
Public Order & Safety	920	645	919	653	275	266
Health	696	66	696	66	630	630
Community Services & Education	399	515	399	515	(116)	(116)
Housing & Community Amenities	8782	10551	8802	10521	(1,769)	(1719)
Water Supplies	6285	11004	6285	11004	(4,719)	(4719)
Sewerage Services	7173	17715	7173	17715	(10,542)	(10542)
Recreation & Culture	5108	2476	5173	2443	2,632	2730
Mining, Manufacturing & Construction	1176	1328	1176	1405	(152)	(229)
Transport & Communication	13309	10044	13315	10044	3,265	3271
Economic Affairs	2925	3504	2935	3504	(579)	(569)
General Purpose Revenues		23905	0	23905	(23,905)	(23905)
	57696	82285	57725	82361	(24589)	(24636)

*Add Expenses not involving flow of funds*

Depreciation

Increase in employees leave entitlements

**Sub-total**

Original	Revised	Original	Revised
-14,250	-14,250		
(14,250)	(14,250)	(38,839)	(38,886)

*Add non-operating funds employed*

Carrying amount of assets sold

Cost of real estate assets sold

Loan funds used

Other debt finance

Repayments by deferred debtors

**Sub-total**

(3,517)	(3,517)		
(5,050)	(8,065)		
(8,567)	(11,582)	(47,406)	(50,468)

## Reports from Director Corporate Services

*Subtract funds deployed for non-operating purposes*

Acquisition of assets	50,231	53,246		
Development of real estate		0		
Advances to deferred debtors		0		
Repayment of loans	5,351	5,405		
Repayment of other debts				
<b>Estimated Budget Result - Surplus</b>	<b>55,582</b>	<b>58,651</b>	<b>8,176</b>	<b>8,183</b>

**Reconciliation with Program Budget:**

Add Transfers to Reserves		9,731	9,725
Add Transfers from Reserves			
		(11,722)	(11,722)
Subtract Interest on restricted funds not used in budget		2,932	2,932
Add/(Deduct) net increase/(decrease) in externally restricted assets (contributions)		(7,476)	(7,476)
Program Budget Deficit/(Surplus)		<u>1,641</u>	<u>1,641</u>

**Comprising:**

General Fund		-	-
Water Fund			
		30	30
Sewerage Fund		<u>1,611</u>	<u>1,611</u>
		<u>1,641</u>	<u>1,641</u>



## Reports from Director Corporate Services

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**8. ORIGIN: Administration Services Unit**

**FILE REF: Civic Awards**

**REPORT TITLE:**

**Order of Australia Awards**

**SUMMARY OF REPORT:**

Notice has been received from the Department of the Prime Minister and Cabinet concerning nominations for the Order of Australia. Details are reproduced in the body of the report.

**RECOMMENDATION:**

That:-

1. Notification of the nomination forms for the Order of Australia be the subject of an article in the Tweed Link.
2. The nomination forms be placed in the Murwillumbah and Tweed Heads Libraries.

## Reports from Director Corporate Services

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### REPORT:

The following letter has been received from the Department of the Prime Minister and Cabinet:-

*“The year 2000 celebrates twenty-five years of recognising outstanding Australians through the Australian honours system. To coincide with the anniversary, we are pleased to launch the new nomination form for the Order of Australia.*

*Local government, with its close and active links to Australian community life, has an important role in raising awareness of Australian honours. As part of our ongoing support for your council in this role, I attach six copies of the new nomination form.*

*The redesigned form is a significant improvement on the existing form in terms of presentation, clarity and user-friendly format.*

*Guidelines for the form are available in six languages as well as English for those in the community who are more comfortable reading in their own language. Government House can provide this information on their freecall number 1800 552 275 or phone (02) 6283 3533. The nomination form will shortly be available on our Internet website, [www.itsanhonour.gov.au](http://www.itsanhonour.gov.au).*

*(Signed) David Bull, Acting Assistant Secretary*

*Awards and National Symbols Branch.”*

It is proposed that residents be advised of the availability of the nomination form for the Order of Australia through the “Tweed Link” and that the nomination forms be made available through the Murwillumbah and Tweed Heads Libraries.

## Reports from Director Corporate Services

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**9. ORIGIN: Director**

**FILE REF: DA2970/460 Pt1**

**REPORT TITLE:**

**Multicap Facility - Murwillumbah**

**SUMMARY OF REPORT:**

In a Notice of Motion to Council's meeting of 19 January 2000, Cr Marshall requested details regarding the status of the Multicap respite facility project.

The organisation has provided a response to each of the matters raised.

**RECOMMENDATION:**

That this report be received and noted.

## Reports from Director Corporate Services

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### REPORT:

At Council's meeting of 19 January 2000, a Notice of Motion was adopted calling for a report "*regarding the status of the Multicap respite facility project*" and requesting information on a number of matters.

The organisation has responded to each of these matters in the form of a report (copy attached).

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## Reports from Director Corporate Services

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**10. ORIGIN: General Manager**

**FILE NO: GA4/1/33**

**REPORT TITLE:**

**Quarterly Corporate Report**

**SUMMARY OF REPORT:**

The Quarterly Corporate Report covering the period to 31 December 1999 is presented for Council's information.

**RECOMMENDATION:**

That this report be received and noted.

## Reports from Director Corporate Services

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### REPORT:

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

The Quarterly Corporate Report is still being developed and is currently at a stage of development where the information is being collected and expressed, in some instances, in graph form. As it is further developed it will be used as a management tool to gauge the performance of Council's activities. These Quarterly Reports will be combined on a yearly basis and included in the Annual Report so as to advise the community of Council's activities and to compare such activities to the Management Plan for that year.

## Reports from Director Corporate Services

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# Development Services Quarterly Report

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### REPORT FOR THE PERIOD

**1 SEPTEMBER 1999 TO 31 DECEMBER 1999**

**DEVELOPMENT CONTROL**

**STRATEGIC TOWN PLANNING**

**SUBDIVISIONS**

# Reports from Director Corporate Services

## Development

<b>SUB PROGRAM:</b>	<b>DEVELOPMENT ASSESSMENT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>D01., D05. Development Assessment, Subdivision Assessments</b>
<b>PRINCIPAL ACTIVITY:</b>	<b>4. DEVELOPMENT ASSESSMENT</b>
<b>RESPONSIBILITY:</b>	Manager Development Control - Garry Smith Manager Subdivisions - Darryl Anderson
<b>SUB PROGRAM OBJECTIVE:</b>	<ol style="list-style-type: none"> <li>1. To facilitate the development and use of land within the legislative framework and achieve quality of development and environment commensurate with community expectations and which is environmentally sustainable.</li> <li>2. To achieve high quality processes, assessment and outcomes by the following action plan.</li> </ol>

Main Functions	Performance Target	Performance Report
<ul style="list-style-type: none"> <li>• Continuous improvement in the processing and assessment of development applications</li> </ul>		<ul style="list-style-type: none"> <li>• Performance targets substantially achieved</li> </ul>
<ul style="list-style-type: none"> <li>• Continuous improvement in the processing and assessment of certificate applications                             <ol style="list-style-type: none"> <li>a. construction certificates</li> <li>b. subdivision certificates</li> <li>c. strata subdivision applications</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>• Achieve performance targets referred to in Performance Assessment Measures</li> </ul>	<ul style="list-style-type: none"> <li>• Performance targets largely achieved</li> </ul>
<ul style="list-style-type: none"> <li>• Implementation of Application Determination Policy</li> </ul>		<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>
<ul style="list-style-type: none"> <li>• Development of Protocol with stakeholders on provision of service - involving "Focus Group"</li> </ul>	<ul style="list-style-type: none"> <li>• Completion of jointly endorsed document</li> </ul>	<ul style="list-style-type: none"> <li>• In preparation</li> </ul>
<ul style="list-style-type: none"> <li>• Provision of timely accurate and courteous advice</li> </ul>	<ul style="list-style-type: none"> <li>• Surveys show high level of customer satisfaction with the service</li> </ul>	<ul style="list-style-type: none"> <li>• Survey in preparation</li> </ul>
<ul style="list-style-type: none"> <li>• Response to outcomes of DA customer survey</li> </ul>	<ul style="list-style-type: none"> <li>• All agreed actions implemented</li> </ul>	<ul style="list-style-type: none"> <li>• See above</li> </ul>
<ul style="list-style-type: none"> <li>• Implement Complaints and Work Request Policy and required Enforcement.</li> </ul>	<ul style="list-style-type: none"> <li>• Response times achieve targets within Policy</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing</li> </ul>



## Reports from Director Corporate Services

Main Functions	Performance Target	Performance Report
<ul style="list-style-type: none"><li>• Construction monitoring to ensure compliance with approvals and adequate supporting infrastructure</li></ul>	<ul style="list-style-type: none"><li>• Full compliance achieved with approvals and conditions to achieve efficient and quality outcomes with discretion exercised as appropriate</li></ul>	<ul style="list-style-type: none"><li>• Ongoing</li></ul>
<ul style="list-style-type: none"><li>• Prompt issue of planning certificates</li></ul>	<ul style="list-style-type: none"><li>• 5 day turnaround - 2 days maximum for "urgent" certificates</li></ul>	<ul style="list-style-type: none"><li>• Ongoing</li></ul>

# Reports from Director Corporate Services

## Strategic Planning

<b>SUB PROGRAM:</b>	<b>STRATEGIC PLANNING</b>
<b>BUDGET SUB PROGRAM:</b>	<b>D04. Strategic Planning</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>4. STRATEGIC PLANNING</b>
<b>RESPONSIBILITY:</b>	Manager Strategic Planning - Douglas Jardine
<b>SUB PROGRAM OBJECTIVE:</b>	To formulate sustainable policies and strategies for the Tweed which ensure quality outcomes for the balance between development and the environmental conservation; and sound social and community development.

Main Functions	Performance Target	Performance Report
<ul style="list-style-type: none"> <li>Second major stage of Tweed Shire wide LEP</li> </ul>	<ul style="list-style-type: none"> <li>Completion of draft LEP by December 2000 for exhibition</li> </ul>	<ul style="list-style-type: none"> <li>Preparation of draft not yet commenced - significant foundation studies and analysis undertaken eg Tweed Vegetation Management Plan 1999. Awaiting Minister's decision on Stage 1</li> </ul>
<ul style="list-style-type: none"> <li>Kings Forest/Kings Beach Planning Framework</li> </ul>	<ul style="list-style-type: none"> <li>Complete draft LEP, section 94 plan and DCP June 2000</li> </ul>	<ul style="list-style-type: none"> <li>Kings Forest - Consultants, GHD, commissioned in December 1999</li> <li>Kings Beach - Work initiated by Council officers. Draft DCP deferred by Council.</li> </ul>
<ul style="list-style-type: none"> <li>Review and prepare Section 94 Plans               <ol style="list-style-type: none"> <li>libraries</li> <li>cemeteries</li> <li>Open space</li> <li>car parking</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Review of plans ongoing</li> </ul>	<ol style="list-style-type: none"> <li>GHD engaged to review plan</li> <li>being reviewed by Council officers</li> <li>being review by consultants</li> <li>completed</li> </ol>
<ul style="list-style-type: none"> <li>Review and prepare development control plans               <ol style="list-style-type: none"> <li>car parking</li> <li>rural buffers</li> <li>Tweed Heads</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Review of plans ongoing</li> </ul>	<ol style="list-style-type: none"> <li>completed</li> <li>draft prepared. Deferred and to be included in rural strategy</li> <li>Draft DCP prepared. To be modified to incorporate draft Tweed Heads Streetscape Guidelines</li> </ol>
<ul style="list-style-type: none"> <li>Prepare site specific draft LEP's as required</li> </ul>	<ul style="list-style-type: none"> <li>ongoing</li> </ul>	<ul style="list-style-type: none"> <li>ongoing</li> </ul>
<ul style="list-style-type: none"> <li>Review of Industrial Land</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Work initiated December 1999</li> </ul>
<ul style="list-style-type: none"> <li>Rural Strategy</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>Initial draft report completed. Requires extensive review</li> </ul>
<ul style="list-style-type: none"> <li>To progressively prepare Locality Plans including:-               <ol style="list-style-type: none"> <li>Pottsville Strategy</li> <li>Kingscliff Strategy</li> <li>Fingal</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Adoption by Council within targeted times.</li> </ul>	<ol style="list-style-type: none"> <li>Completed</li> <li>In progress</li> <li>Not started</li> </ol>
<ul style="list-style-type: none"> <li>Implementation of Area Assistance Scheme and Tweed Social Plans</li> </ul>	<ul style="list-style-type: none"> <li>Allocation of funds in an equitable manner which reflect Council needs.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> <li>Community Profile completed November 1999</li> </ul>
<ul style="list-style-type: none"> <li>To provide courteous, timely and accurate advice to customers</li> </ul>	<ul style="list-style-type: none"> <li>Surveys show 75% satisfaction</li> </ul>	<ul style="list-style-type: none"> <li>No survey undertaken</li> </ul>

## Reports from Director Corporate Services

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# Corporate Services Quarterly Report

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### REPORT FOR THE PERIOD

**1 SEPTEMBER 1999 TO 31 DECEMBER 1999**

**ADMINISTRATION SERVICES**

**BUSINESS UNDERTAKINGS**

**FINANCIAL SERVICES**

**HUMAN RESOURCES**

# Reports from Director Corporate Services

## Administration

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A01. Administration Services</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Administration - Brian Donaghy
<b>SUB PROGRAM OBJECTIVE:</b>	To develop and maintain an effective administration service system to ensure optimum performance to the organisation.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Administrative support to the organisation</li> </ul>	<ul style="list-style-type: none"> <li>The provision of secretarial and administrative services for the Council's Standing and Ad Hoc Committees for the Council and for the organisation</li> </ul>	<ul style="list-style-type: none"> <li>Currently being done</li> </ul>
<ul style="list-style-type: none"> <li>Records Management Services</li> </ul>	<ul style="list-style-type: none"> <li>Provision of an accurate and comprehensive Records Management System for the Corporation</li> </ul>	<ul style="list-style-type: none"> <li>New Records Management System evaluated and being installed</li> </ul>
<ul style="list-style-type: none"> <li>Printing and Photocopying Services</li> </ul>	<ul style="list-style-type: none"> <li>Provision of effective and efficient printing and photocopying service to organisation</li> </ul>	<ul style="list-style-type: none"> <li>Currently being done</li> </ul>
<ul style="list-style-type: none"> <li>Operational services for the Council</li> </ul>	<ul style="list-style-type: none"> <li>Provision of secretarial services to the Council</li> </ul>	<ul style="list-style-type: none"> <li>Currently being done</li> </ul>
<ul style="list-style-type: none"> <li>Democracy and Civic activities</li> </ul>	<ul style="list-style-type: none"> <li>Provision of service and facilities for civic activities</li> </ul>	<ul style="list-style-type: none"> <li>Currently being done</li> </ul>
<ul style="list-style-type: none"> <li>Corporate Management</li> </ul>	<ul style="list-style-type: none"> <li>Regular review of Council's Policies and Delegations</li> </ul>	<ul style="list-style-type: none"> <li>Policies &amp; Delegations currently being revised</li> </ul>
<ul style="list-style-type: none"> <li>Communication Consultation</li> </ul>	<ul style="list-style-type: none"> <li>Annual Report and Tweed Link</li> <li>Liaison with Council Executive</li> </ul>	<ul style="list-style-type: none"> <li>Being prepared, Link processed weekly</li> <li>Done on a regular basis</li> </ul>
<ul style="list-style-type: none"> <li>Local Government Liaison</li> </ul>		
<ul style="list-style-type: none"> <li>Elections</li> </ul>	<ul style="list-style-type: none"> <li>Provision of staff and facilities</li> <li>Organisation of the 1999 elections in conjunction with the Returning Officer</li> </ul>	<ul style="list-style-type: none"> <li>Elections completed</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A02. Information Technology</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Administration - Brian Donaghy
<b>SUB PROGRAM OBJECTIVE:</b>	To provide first class technological assistance to staff to enable the delivery of effective, efficient and customer focussed services.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Main Computer Systems</li> </ul>	<ul style="list-style-type: none"> <li>Provide access to Genasys Council Information Systems</li> <li>Minimal interruption to service</li> <li>Perform regular updates to CIS systems</li> <li>Ensure accurate and efficient processing of data</li> <li>Encourage use of all systems, sub-systems and features</li> <li>Ensure systems meet needs of users</li> </ul>	<ul style="list-style-type: none"> <li>Computer system being monitored for performance.</li> <li>Down time kept to a minimum.</li> <li>Data being processed accurately</li> <li>System being upgraded to meet user needs</li> </ul>
<ul style="list-style-type: none"> <li>Management Services from other Functions</li> </ul>	<ul style="list-style-type: none"> <li>Cost of Services for printing, telephone and office space rental</li> </ul>	<ul style="list-style-type: none"> <li>Being done on a competitive basis</li> </ul>
<ul style="list-style-type: none"> <li>Network Systems</li> </ul>	<ul style="list-style-type: none"> <li>Provide access to shared systems, data and peripherals</li> <li>Minimal interruption to service</li> <li>Provide solutions to users needs in regard to network facilities</li> </ul>	<ul style="list-style-type: none"> <li>Networks system operating with minimal interruption to service</li> </ul>
<ul style="list-style-type: none"> <li>Geographic Information Systems</li> </ul>	<ul style="list-style-type: none"> <li>Encourage use of Genamap GIS System and interface/integration feature including Property Information</li> </ul>	<ul style="list-style-type: none"> <li>GIS system being enhanced and greater use of the system being encouraged</li> </ul>
<ul style="list-style-type: none"> <li>Personal Computer Systems</li> </ul>	<ul style="list-style-type: none"> <li>Provide access to personal computer based systems</li> <li>Provide solutions to users needs</li> <li>Provide support to users in regard to hardware and software problems</li> </ul>	<ul style="list-style-type: none"> <li>All staff now provided with a PC. Support being given for hardware/software solutions</li> </ul>
<ul style="list-style-type: none"> <li>Asset Management Systems</li> </ul>	<ul style="list-style-type: none"> <li>Encourage use of centralised Total Asset Management System(s) with appropriate features and interface/integration</li> </ul>	<ul style="list-style-type: none"> <li>Total Asset Management system to be further enhanced</li> </ul>
<ul style="list-style-type: none"> <li>Management Information Systems</li> </ul>	<ul style="list-style-type: none"> <li>Develop effective solutions to the information needs of management</li> <li>Provide support to users in use of management information systems</li> </ul>	<ul style="list-style-type: none"> <li>Training undertaken for the installation of the new MIS</li> </ul>
<ul style="list-style-type: none"> <li>Communication Systems</li> </ul>	<ul style="list-style-type: none"> <li>Attend to requirements in regard to telephones</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A06. Risk Management</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Administration - Brian Donaghy
<b>SUB PROGRAM OBJECTIVE:</b>	To insure Council's exposure against claims/damages/losses is minimised.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>• Insurance Fidelity Guarantee</li> <li>• Public Liability</li> <li>• Risk Management Program</li> </ul>	<ul style="list-style-type: none"> <li>• The continuation of Risk Management practices</li> <li>• Adequate Public Liability Insurance</li> <li>• Advice/administration help to Council Insurance (NSW) State Organisation</li> </ul>	<ul style="list-style-type: none"> <li>• Insurance portfolio renewed on a competitive basis</li> <li>• Risk management audit conducted. Conclusion to be implemented.</li> </ul>

# Reports from Director Corporate Services

## Business Undertakings

<b>SUB PROGRAM:</b>	<b>BUSINESS UNDERTAKINGS</b>
<b>BUDGET SUB PROGRAM:</b>	<b>B05. Business Undertakings (Airfield)</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>3. Business Undertakings</b>
<b>RESPONSIBILITY:</b>	Manager Business Undertakings - Richard Adams
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a facility for small aircraft operation and associated industry that meets exiting needs and through improvement will create greater usage.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>• Advice Council on matters affecting the airfield and its development.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide meaningful and timely reports.</li> </ul>	<ul style="list-style-type: none"> <li>• Report to Council as required</li> </ul>
<ul style="list-style-type: none"> <li>• Act as Secretary of the Airfield Management Committee.</li> </ul>	<ul style="list-style-type: none"> <li>• Generation of initiatives that promote and encourage positive action.</li> </ul>	<ul style="list-style-type: none"> <li>• Convened and acted as secretary for committee. Took minutes, distributed same and implemented agreed actions</li> </ul>
<ul style="list-style-type: none"> <li>• Co-ordinate airfield development.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish private aircraft hangarage improve facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Liaised with current leaseholders regarding future options given pending expiry of lease</li> <li>• Liaise with proponent of scheme to assign various leases and seek legal advice on GST and other associated issues.</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>BUSINESS UNDERTAKINGS</b>
<b>BUDGET SUB PROGRAM:</b>	<b>B01. Business Undertakings (Land Development)</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>3. Business Undertakings</b>
<b>RESPONSIBILITY:</b>	Manager Business Undertakings - Richard Adams
<b>SUB PROGRAM OBJECTIVE:</b>	To manage and develop existing holdings and undertake land transactions so as to maximise commercial and community benefit.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Property management for existing Council houses.</li> </ul>	<ul style="list-style-type: none"> <li>Maximise rental return and maintain property in rentable condition.</li> </ul>	<ul style="list-style-type: none"> <li>Liaised with RE Agents to ensure properties are let at best achievable rate and maintenance performed</li> </ul>
<ul style="list-style-type: none"> <li>Co-ordinate land development as directed by Council.</li> </ul>	<ul style="list-style-type: none"> <li>To deliver the project on time, within budget and suitable for purpose.</li> </ul>	<ul style="list-style-type: none"> <li>Act as Chairman of Land Development Committee reviewing options for specific opportunities</li> </ul>
<ul style="list-style-type: none"> <li>Conduct land transactions as directed.</li> </ul>	<ul style="list-style-type: none"> <li>To purchase/sell target properties within schedule and financial requirements.</li> </ul>	<ul style="list-style-type: none"> <li>MBU part of team overseeing Piggabeen Sports Complex land development. Liaising with consultants on lot design, geotech investigation, and marketing. Appointed agent to assist in sale of Stage 2. and report to Council on traffic capacity affecting sales.</li> </ul>



# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>BUSINESS UNDERTAKINGS</b>
<b>BUDGET SUB PROGRAM:</b>	<b>B04. Business Undertakings (Saleyards)</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>3. Business Undertakings</b>
<b>RESPONSIBILITY:</b>	Manager Business Undertakings - Richard Adams
<b>SUB PROGRAM OBJECTIVE:</b>	To facilitate the transfer of operational management to promote enterprise and ensure that agreed maintenance and necessary improvements are carried out.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Liaison between Council, industry and operator/ manager of the facility.</li> </ul>	<ul style="list-style-type: none"> <li>Improve communication and input by all parties.</li> </ul>	<ul style="list-style-type: none"> <li>Reporting to Council and liaising with Saleyard Manager as required</li> <li>Recommended reduction in fee level for consignment stock following request from Saleyards Manager and industry</li> </ul>
<ul style="list-style-type: none"> <li>Advise Council on matters affecting the Saleyards.</li> </ul>	<ul style="list-style-type: none"> <li>Provide meaningful and timely reports.</li> </ul>	<ul style="list-style-type: none"> <li>Liaison with Saleyards Manager with respect to repairs and maintenance requests</li> </ul>
<ul style="list-style-type: none"> <li>Seek to engage qualified party to manage/control the Saleyards</li> </ul>	<ul style="list-style-type: none"> <li>Implement contract management of the saleyards with 'industry' experienced contractor</li> </ul>	<ul style="list-style-type: none"> <li>Contract manager resigned late November 1999, called for expressions of interest from local agents to lease Saleyards and manage function..</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>BUSINESS UNDERTAKINGS</b>
<b>BUDGET SUB PROGRAM:</b>	<b>B03. Business Undertakings (Caravan Parks))</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activities</b>
<b>RESPONSIBILITY:</b>	Manager Business Undertakings - Richard Adams
<b>SUB PROGRAM OBJECTIVE:</b>	To manage, develop and promote the Tweed Coast Holiday Parks as an attractive tourist destination using sound commercial practice and providing an appropriate return on investment.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>• Manage the Tweed Coast Holiday Parks Reserve Trust as a discreet operating entity.</li> </ul>	<ul style="list-style-type: none"> <li>• Meet budget forecast and achieve all practical goals.</li> </ul>	<ul style="list-style-type: none"> <li>• Detailed annual report on operations prepared and submitted to the Trust, including a “clean” audit report</li> <li>• Introduced further standing journals to improve accuracy and meaningfulness of financial reporting</li> </ul>
<ul style="list-style-type: none"> <li>• Develop plans for upgrading parks and improvements within parks.</li> </ul>	<ul style="list-style-type: none"> <li>• Deliver a high level of service to end users thus improving occupancy rates.</li> </ul>	<ul style="list-style-type: none"> <li>• Further developed proposals on refurbishment/creation of new parks.</li> <li>• Submitted development plans as part of report to Trust</li> </ul>

## Reports from Director Corporate Services

Main Functions	Performance Targets	Performance Report																						
<ul style="list-style-type: none"> <li>Undertake professional administration and marketing of the parks.</li> </ul>	<ul style="list-style-type: none"> <li>Deliver a high level of service and meaningful response/plans to end user and the Tweed Reserves Trust.</li> <li>Star ratings of the following Parks are retained:-               <table border="0" data-bbox="603 517 986 779"> <tr> <td>Boyd's Bay</td> <td>3.5</td> </tr> <tr> <td>Fingal</td> <td>3</td> </tr> <tr> <td>Kingscliff North</td> <td></td> </tr> <tr> <td>Kingscliff Beach</td> <td></td> </tr> <tr> <td>Hastings Point</td> <td>-</td> </tr> <tr> <td>Pottsville Beach Nth</td> <td></td> </tr> <tr> <td>Pottsville Beach Sth</td> <td>3</td> </tr> </table> </li> <li>User satisfaction levels are maintained above 90%. Maintain as a minimum the occupancy levels for the various forms of accommodation at the Caravan Parks viz:               <table border="0" data-bbox="603 1048 932 1193"> <tr> <td>On-site Vans</td> <td>54%</td> </tr> <tr> <td>Powered Sites</td> <td>40%</td> </tr> <tr> <td>Tent Sites</td> <td>20%</td> </tr> <tr> <td>Cabins</td> <td>69%</td> </tr> </table> </li> </ul>	Boyd's Bay	3.5	Fingal	3	Kingscliff North		Kingscliff Beach		Hastings Point	-	Pottsville Beach Nth		Pottsville Beach Sth	3	On-site Vans	54%	Powered Sites	40%	Tent Sites	20%	Cabins	69%	<ul style="list-style-type: none"> <li>Monitor operations, capital expenditure and planned maintenance in concert with Parks Supervisor</li> <li>Implement marketing program to maintain presence, and expand to include representation at southern consumer shows</li> <li>1998/99 NRMA park inspection results not to hand at date of report preparation</li> <li>Occupancy levels achieved were marginally down on targets due to inclement weather for the majority of the period</li> <li>Arranged dunal restoration at Kingscliff Beach Holiday Park to correct erosion prior to Christmas influx</li> </ul>
Boyd's Bay	3.5																							
Fingal	3																							
Kingscliff North																								
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# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>ECONOMIC DEVELOPMENT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>I01. Commerce and Industrial Development and Tourism Promotion</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>2. Economic Development</b>
<b>RESPONSIBILITY:</b>	Director Corporate Services - Ian Carpenter
<b>SUB PROGRAM OBJECTIVE:</b>	To foster economic development and diversification in this Shire.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Act for Council on various boards and committees dealing with economic development and tourism promotion.</li> </ul>	<ul style="list-style-type: none"> <li>Generation of initiatives that promote and encourage positive action.</li> </ul>	<ul style="list-style-type: none"> <li>Attend various meetings as required by Director</li> </ul>
<ul style="list-style-type: none"> <li>Review and report on concepts and ideas put forward for consideration.</li> </ul>	<ul style="list-style-type: none"> <li>Provide timely and meaningful analysis to facilitate decision making.</li> </ul>	<ul style="list-style-type: none"> <li>Review Council landholdings with Director of Engineering Services to determine opportunities.</li> </ul>
<ul style="list-style-type: none"> <li>Support two independent jointly funded bodies operate in the Shire to promote industrial/ economic development and tourism promotion.</li> </ul>	<ul style="list-style-type: none"> <li>Tweed Economic Development Corporation meets agreed funding criteria and targets.</li> <li>TACTIC meets funding criteria and targets.</li> </ul>	<ul style="list-style-type: none"> <li>Liaison maintained with Chairman of TEDC.</li> <li>Attendance at regional tourism organisation board meetings in progressing tourism in the Shire.</li> </ul>

# Reports from Director Corporate Services

## Financial Services

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A.04, Revenue Control</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Financial Services - Reg Norvill
<b>SUB PROGRAM OBJECTIVE:</b>	To achieve long term financial viability and optimise returns on Council's revenues.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Revenue Policy</li> </ul>	<ul style="list-style-type: none"> <li>Review Management Plan, budget and fees and charges</li> </ul>	<ul style="list-style-type: none"> <li>Reviewed policy to be updated by May 2000</li> </ul>
<ul style="list-style-type: none"> <li>Rates Management</li> </ul>	<ul style="list-style-type: none"> <li>Levy Rates on each rateable property and collect rates and charges levied</li> </ul>	<ul style="list-style-type: none"> <li>Rates levied by due dates</li> </ul>
<ul style="list-style-type: none"> <li>Provide accurate rate notices</li> </ul>	<ul style="list-style-type: none"> <li>Review rate structure</li> </ul>	<ul style="list-style-type: none"> <li>To review April 2000</li> </ul>
<ul style="list-style-type: none"> <li>Maximise return on investment</li> </ul>	<ul style="list-style-type: none"> <li>Invest surplus funds so as to obtain the most favourable return to Council in accordance with statutory guidelines</li> </ul>	<ul style="list-style-type: none"> <li>Interest relieved on investments reflects competitive returns</li> </ul>

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A04. Asset Management/Capital Works</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Financial Services - Reg Norvill
<b>SUB PROGRAM OBJECTIVE:</b>	To assure the efficient use of Council's assets, through the provision of relevant information and advice on the nature and deployment of assets..

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Asset Identification</li> </ul>	<ul style="list-style-type: none"> <li>As required by Code of Accounting Practice</li> </ul>	<ul style="list-style-type: none"> <li>In accordance with LG Code</li> </ul>
<ul style="list-style-type: none"> <li>Management Plan Asset Requirements</li> </ul>	<ul style="list-style-type: none"> <li>Complete in Management Plan</li> </ul>	<ul style="list-style-type: none"> <li>30 June 2000</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A04. Financial Accounting</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Financial Services - Reg Norvill
<b>SUB PROGRAM OBJECTIVE:</b>	To ensure the management decisions of Council are underpinned by quality financial and accounting processes and systems.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Statutory Accounting and Reporting</li> <li>Expenditure and Costing services.</li> <li>Timely and accurate preparation of all financial information.</li> </ul>	<ul style="list-style-type: none"> <li>Statutory requirements for financial information to be met within the specific time permitted.</li> <li>Provide financial statements and key indication reports in accordance with relative statues and organisational requirements.</li> <li>Ensure correct costing of all expenditure to function Council activity centres.</li> <li>To assist client divisions to achieve reliable timely and cost effective financial information advice.</li> </ul>	<ul style="list-style-type: none"> <li>Completed by due dates</li> <li>Costing maintained on a daily basis</li> <li>Interest on new loans 7.5%</li> </ul>

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A03. Financial Management Grants</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Financial Services - Reg Norvill
<b>SUB PROGRAM OBJECTIVE:</b>	To liaise with Government so as to maximise benefits to Council from Government programs grant and funding arrangements.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Financial Grants Assistance Co-operation</li> </ul>	<ul style="list-style-type: none"> <li>Actively pursue with Federal and State Governments all policy issues that affect Council.</li> <li>Prepare applications for Government funds in accordance with advice regarding community needs.</li> </ul>	<ul style="list-style-type: none"> <li>Applications submitted each month</li> <li>Claims made</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>W00. Water Fund - Financial Management</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activities</b>
<b>RESPONSIBILITY:</b>	Manager Financial Services - Reg Norvill
<b>SUB PROGRAM OBJECTIVE:</b>	To achieve long term financial viability and optimise returns on Council's resources.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>• Revenue Policy</li> <li>• Provide accurate rate notices</li> <li>• Maximise return on investment</li> </ul>	<ul style="list-style-type: none"> <li>• Review Management Plan, budget and Fees and Charges</li> <li>• Levy rates on each rateable property</li> <li>• Invest surplus funds so as to obtain the most favourable return to Council</li> </ul>	<ul style="list-style-type: none"> <li>• Update Revenue Policy by May 2000</li> <li>• Rates levied by due dates</li> <li>• Interest received on investments reflects a competitive return</li> </ul>

# Reports from Director Corporate Services

## Human Resources

<b>SUB PROGRAM:</b>	<b>CORPORATE SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>A07. Human Resource Management</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>1. Corporate Services</b>
<b>RESPONSIBILITY:</b>	Manager Human Resources - Joyce Lillyin
<b>SUB PROGRAM OBJECTIVE:</b>	To develop and implement policies, procedures and systems which will maximise excellent practice in the management of Council's human resources.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Policy Development</li> </ul>	<b>Policy</b> <ul style="list-style-type: none"> <li>Develop, publish and implement new policies.</li> <li>Review existing policies.</li> <li>Provide equity in employment practice.</li> </ul>	<ul style="list-style-type: none"> <li>Development of policy initiatives as requested.</li> <li>Advice provided as needed</li> </ul>
<ul style="list-style-type: none"> <li>Human Resources</li> </ul>	<ul style="list-style-type: none"> <li>Work with line management to maintain effective and harmonious industrial relations.</li> </ul>	<ul style="list-style-type: none"> <li>Implementation advice provided as required</li> </ul>
<ul style="list-style-type: none"> <li>Industrial Relations advice</li> </ul>	<ul style="list-style-type: none"> <li>Co-ordinate formal and ad hoc employee/management consultative processes.</li> <li>Maintain agreed customer service standards.</li> </ul>	<ul style="list-style-type: none"> <li>3 consultative committee meetings resourced and co-ordinated</li> <li>3 industrial relations sub-committee meetings resourced and co-ordinated</li> </ul>
<ul style="list-style-type: none"> <li>Recruitment &amp; Selection</li> </ul>	<b>Recruitment</b> <ul style="list-style-type: none"> <li>Carry out timely and effective recruitment and selection activities.</li> </ul>	<ul style="list-style-type: none"> <li>19 vacancies listed</li> <li>271 position descriptions posted</li> <li>186 job applications received</li> <li>20 vacancies filled</li> <li>2.10% (10) quarter LTO</li> </ul>
<ul style="list-style-type: none"> <li>Training Delivery &amp; Co-ordination</li> </ul>	<b>Training</b> <ul style="list-style-type: none"> <li>Develop training plans.</li> <li>Develop and deliver in-house training programs for field and office-based staff.</li> <li>Co-ordinate attendance by staff at training course.</li> </ul>	<ul style="list-style-type: none"> <li>Courses developed and delivered as required</li> <li>65 staff trained</li> <li>\$281 average cost per training day</li> </ul>
<ul style="list-style-type: none"> <li>Occupational Health &amp; Safety Advice</li> </ul>	<b>OHS</b> <ul style="list-style-type: none"> <li>Conduct regular program of safety inspection/audit.</li> <li>Develop and deliver OHS regulation/specific issue training.</li> <li>Reduction in number of workplace accidents.</li> </ul>	<ul style="list-style-type: none"> <li>Inspections carried out on regular basis</li> <li>Workplace Safety Management system under training of staff combined</li> <li>75 incidents ytd.</li> <li>71% of targetd at 50% of year</li> </ul>
<ul style="list-style-type: none"> <li>Workers Compensation Administration</li> </ul>	<ul style="list-style-type: none"> <li>Reduction in workers compensation claims.</li> <li>Reduction in hours lost per injury.</li> <li>Reduction in cost per claim.</li> </ul>	<ul style="list-style-type: none"> <li>32 claims ytd.</li> <li>56% of target @ 25% of year</li> <li>Av cost (including estimate) for year \$ 141,831, is escalating.</li> </ul>



## Reports from Director Corporate Services

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# Engineering Services Quarterly Report

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### REPORT FOR THE PERIOD

**1 SEPTEMBER 1999 TO 31 DECEMBER 1999**

#### PLANNING & DESIGN

#### WATER

#### WORKS

# Reports from Director Corporate Services

## Planning and Design

<b>SUB PROGRAM:</b>	<b>INFRASTRUCTURE PLANNING</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T16. Streetscaping</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>12. Infrastructure Planning</b>
<b>RESPONSIBILITY:</b>	Manager Planning and Design - Don McAllister
<b>SUB PROGRAM OBJECTIVE:</b>	To enhance the social, economic welfare and tourist experience in the commercial centres of the shire principal towns

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>• Consultation</li> </ul>	<ul style="list-style-type: none"> <li>• Bottom-up driven instigation</li> </ul>	<ul style="list-style-type: none"> <li>• Final Murwillumbah Main st program presented to Council for consideration.</li> </ul>
<ul style="list-style-type: none"> <li>• Concept Design</li> </ul>	<ul style="list-style-type: none"> <li>• Goal related concepts and estimates generated</li> </ul>	<ul style="list-style-type: none"> <li>• Concept design for most of Murwillumbah Main St adopted.</li> </ul>
<ul style="list-style-type: none"> <li>• Details design and documentation</li> </ul>	<ul style="list-style-type: none"> <li>• Detailed drawings, specifications and estimates</li> </ul>	<ul style="list-style-type: none"> <li>• Detailed designs received but action suspended pending council decision.</li> </ul>

<b>SUB PROGRAM:</b>	<b>INFRASTRUCTURE PLANNING</b>
<b>BUDGET SUB PROGRAM:</b>	<b>P09. Infrastructure Planning</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>12. Infrastructure Planning</b>
<b>RESPONSIBILITY:</b>	Manager Planning and Design - Don McAllister
<b>SUB PROGRAM OBJECTIVE:</b>	To prepare strategic concept plans and financial recoupment plans for Council's infrastructure needs.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>• Infrastructure Planning.</li> <li>• Financial Strategies.</li> <li>• Planning Division Liaison.</li> <li>• Policy and Communication.</li> </ul>	<ul style="list-style-type: none"> <li>• Strategies Devised.</li> <li>• Stakeholders Apprised.</li> <li>• Policies integrated with land use plans and forward budgeting.</li> </ul>	<p>DCP's &amp; S.94 C.P.'s prepared for Cycleways Parking &amp; Drainage. Road CP reviewed.</p>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>INFRASTRUCTURE PLANNING</b>
<b>BUDGET SUB PROGRAM:</b>	<b>P02. Engineering Design</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>12. Infrastructure Planning</b>
<b>RESPONSIBILITY:</b>	Manager Planning and Design - Don McAllister
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a quality civil engineering design consultancy service to the Tweed Shire Council.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>• Concept design reports.</li> <li>• Civil Engineering Design.</li> <li>• Works and Stores Tender documentation and management.</li> <li>• Development Control advice.</li> <li>• Graphic Design, printing and publishing.</li> <li>• Technical archives and library for Division.</li> </ul>	<ul style="list-style-type: none"> <li>• QCS.</li> <li>• QA design.</li> <li>• Standardised and automated tendering procedures.</li> <li>• Prompt turnaround development application documents.</li> <li>• Full pre-construction management service to clients.</li> <li>• Easy archive retrieval.</li> </ul>	<ul style="list-style-type: none"> <li>• Annual design program now 1 year in advance of program year. Accelerated roads program designs put to tender.</li> <li>• Client services widened to include environmental impact evaluation</li> <li>• Archives digitised and new direct access system placed on all PC's</li> <li>• Aus-Spec standards brought to final draft stage</li> </ul>

<b>SUB PROGRAM:</b>	<b>INFRASTRUCTURE PLANNING</b>
<b>BUDGET SUB PROGRAM:</b>	<b>P03. Traffic</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>12. Infrastructure Planning</b>
<b>RESPONSIBILITY:</b>	Manager Planning and Design - Don McAllister
<b>SUB PROGRAM OBJECTIVE:</b>	To plan, design and monitor safe, efficient, affordable traffic and transport facilities for all modes of travel in the Shire.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>• Network policies, planning and design.</li> <li>• Safety Programs.</li> <li>• Development Control.</li> <li>• Traffic Committee.</li> <li>• Line marking and traffic management devices.</li> <li>• Network monitoring.</li> </ul>	<ul style="list-style-type: none"> <li>• DevCon policies in place.</li> <li>• Multi-modal strategies adopted.</li> <li>• Safer streets.</li> <li>• Responsiveness to community concerns.</li> <li>• Current comprehensive databases.</li> </ul>	<ul style="list-style-type: none"> <li>• Safety Programs implemented with good market penetration</li> <li>• Black Spots program funding obtained &amp; on schedule</li> <li>• Cycleway funding obtained &amp; on-schedule</li> <li>• Database of traffic volumes placed on Intranet</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>INFRASTRUCTURE PLANNING</b>
<b>BUDGET SUB PROGRAM:</b>	<b>P04. Stores, Purchasing and Division Support</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>12. Infrastructure Planning</b>
<b>RESPONSIBILITY:</b>	Manager Planning and Design - Don McAllister
<b>SUB PROGRAM OBJECTIVE:</b>	To provide administrative support to the Engineering Division, and necessary material to the Works, Water and Recreation Services Units.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Administrative Support.</li> <li>QCS evaluation framework in place</li> </ul>	<ul style="list-style-type: none"> <li>QCS.</li> <li>Store management procedures reviewed and structural changes in place.</li> </ul>	<ul style="list-style-type: none"> <li>Benchmarking recommendations in store &amp; purchasing implemented.</li> <li>Customer Service survey outcomes driving work practices changes.</li> </ul>

<b>SUB PROGRAM:</b>	<b>INFRASTRUCTURE PLANNING</b>
<b>BUDGET SUB PROGRAM:</b>	<b>P01. Engineering Survey</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>12. Infrastructure Planning</b>
<b>RESPONSIBILITY:</b>	Manager Planning and Design - Don McAllister
<b>SUB PROGRAM OBJECTIVE:</b>	To provide the organisation with a quality land survey consultancy services.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Survey.</li> <li>GIS cadastre maintenance.</li> <li>Survey Archives.</li> <li>Council land asset register, purchase and transfer services.</li> <li>Rural addressing</li> </ul>	<ul style="list-style-type: none"> <li>Efficient responsive professionally conducted land and engineering surveys.</li> <li>Current, accessible, spatial and textual survey and land asset databases.</li> <li>Prompt and accurate property services.</li> </ul>	<ul style="list-style-type: none"> <li>All outstanding property surveys settlements, and compensation payments from previous years brought to finalisation in 1999.</li> <li>All property and engineering surveys meeting client deadlines and quality expectations.</li> </ul>

## Reports from Director Corporate Services

### Water

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>U01. Street Lighting</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>6. Environment</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a safe street lighting system in urban areas to Council's adopted standard at the lowest possible cost to ratepayers.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Street Lighting</li> </ul>	<ul style="list-style-type: none"> <li>Annual Review of Needs</li> </ul>	<ul style="list-style-type: none"> <li>Completed</li> </ul>
<ul style="list-style-type: none"> <li>Purchase Energy</li> </ul>	<ul style="list-style-type: none"> <li>Energising of lights installed in previous years</li> </ul>	<ul style="list-style-type: none"> <li>1998/99 Completed</li> </ul>

<b>SUB PROGRAM:</b>	<b>COMMUNITY PROTECTION</b>
<b>BUDGET SUB PROGRAM:</b>	<b>U03. Flooding</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>6. Environment</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To contain the level of potential flood damage within urban areas.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Flood Mitigation Maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>Annual maintenance of flood mitigation works.</li> </ul>	<ul style="list-style-type: none"> <li>Works completed as required only</li> </ul>
<ul style="list-style-type: none"> <li>Floodplain Management Works               <ul style="list-style-type: none"> <li>4:1 Voluntary Purchase.</li> <li>2:1 Construction.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Completion of annual program.</li> <li>Completion of annual program.</li> </ul>	<ul style="list-style-type: none"> <li>Funding allocated</li> <li>Funds received in December 1999</li> </ul>

<b>SUB PROGRAM:</b>	<b>ENVIRONMENT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>U02. Estuary Management</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>6. Environment</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To manage tidal waterways to achieve adopted water quality objectives.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Existing assets.</li> <li>Estuary Management Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Maintain in safe working condition.</li> <li>Implement adopted plan.</li> </ul>	<ul style="list-style-type: none"> <li>Within funds available</li> <li>Ongoing by TRMPAC</li> <li>85% complete</li> </ul>

## Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>BUSINESS ACTIVITIES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>W10. Water Capital Works Program</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activities</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a high quality and reliable water supply that exceeds NHMRC Guidelines.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Maintenance and expansion of system.</li> </ul>	<ul style="list-style-type: none"> <li>Major maintenance and construction works as planned.</li> </ul>	<ul style="list-style-type: none"> <li>Master conveyancing plan completed. Report to Council on implications next quarter.</li> <li>Replacement program proceeding.</li> </ul>

<b>SUB PROGRAM:</b>	<b>BUSINESS ACTIVITIES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>W01., W05. Water Headworks &amp; Treatment</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activity</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a high quality and reliable water supply that exceeds NHMRC Guidelines.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Dams and Weirs.</li> </ul>	<ul style="list-style-type: none"> <li>Maintain Headworks.</li> </ul>	<ul style="list-style-type: none"> <li>Clarrie Hall Dam spillway upgrade preliminaries proceeding</li> </ul>
<ul style="list-style-type: none"> <li>Water Treatment.</li> </ul>	<ul style="list-style-type: none"> <li>Produce water that exceeds NHMRC Guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>1996 guidelines implemented</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>BUSINESS ACTIVITIES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>W02., W03., W04., W06., Water Conveyancing</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activities</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a high quality and reliable water supply that exceeds NHMRC Guidelines.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Water reticulation from plant to consumer.</li> </ul>	<ul style="list-style-type: none"> <li>Positive feedback from continuous customer survey.</li> </ul>	<ul style="list-style-type: none"> <li>To be developed</li> </ul>
	<ul style="list-style-type: none"> <li>Planned interruptions - customers to receive notification no less than day before.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>BUSINESS ACTIVITIES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>Y06. Laboratory Services</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. BUSINESS ACTIVITIES</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a high quality, cost effective analytical service for Council and external clients.

Main Functions	Performance Targets	Performance Report																		
<ul style="list-style-type: none"> <li>To provide a high quality testing and analytical service.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake testing and analysis of water and sewerage samples to ensure licence compliance and process efficiency.</li> <li>Actively seek work from external clients,</li> </ul>	<table> <tr> <td>Internal tests</td> <td>8680</td> </tr> <tr> <td>External tests</td> <td>6570</td> </tr> <tr> <td>Total</td> <td>15250</td> </tr> <tr> <td>Reports total</td> <td>329</td> </tr> <tr> <td>Reports &lt; 10 days</td> <td>78%</td> </tr> <tr> <td>Reports &gt; 10 days</td> <td>22%</td> </tr> <tr> <td>Total Income</td> <td>19750</td> </tr> <tr> <td>Total labour costs</td> <td>63513</td> </tr> <tr> <td>Ratio</td> <td>3:11</td> </tr> </table>	Internal tests	8680	External tests	6570	Total	15250	Reports total	329	Reports < 10 days	78%	Reports > 10 days	22%	Total Income	19750	Total labour costs	63513	Ratio	3:11
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<b>SUB PROGRAM:</b>	<b>BUSINESS ACTIVITIES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>Y01., Y02. Sewage Conveyancing</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activities</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a high quality and reliable sewerage service adhering to environmental standards at an acceptable cost to customers.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Reticulation of sewage from property outlets to treatment plants.</li> </ul>	<ul style="list-style-type: none"> <li>Efficiently convey sewage to satisfaction of customers.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>



# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>BUSINESS ACTIVITIES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>Y10. Sewer Capital Works Program</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activities</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a high quality and reliable sewerage service adhering to environmental standards at an acceptable cost to customers.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Maintenance and expansion of system.</li> </ul>	<ul style="list-style-type: none"> <li>Major maintenance and construction works as planned.</li> </ul>	<ul style="list-style-type: none"> <li>Strategy reports for each catchment being undertaken to update Capital Works programs.</li> </ul>

<b>SUB PROGRAM:</b>	<b>BUSINESS ACTIVITIES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>Y03. Sewer Treatment</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>11. Business Activities</b>
<b>RESPONSIBILITY:</b>	Manager Water - John Henley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a high quality and reliable sewerage service adhering to environmental standards at an acceptable cost to customers.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>Provide high standard of treatment for minimal environment impact.</li> </ul>	<ul style="list-style-type: none"> <li>Tertiary treatment of all sewage collected.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>

# Reports from Director Corporate Services

## Works

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T01., T02., T03., T15. Council Roads</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a transport infrastructure system that allows safe, convenient and comfortable pedestrian and vehicular traffic movement to, from and within the Tweed Shire.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Road Maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>Provide and maintain a program to ensure each road in the Shire is attended to at least four times per year.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
<ul style="list-style-type: none"> <li>Road Construction.</li> </ul>	<ul style="list-style-type: none"> <li>To provide a five year rolling plan in accordance with Council's Pavement Management System.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>

### TABLE (1)

The following works have commenced or have been completed to 31 December 1999.

Project	Budget	Actual Expenditure	% Complete
Cooley Street	70,000	48,180	100
Broadwater Esp	215,000	111,054	100
Yvonne Crescent	110,000	107,430	100
Cobaki Road	85,000	85,135	100
Bilambil Road	70,000	39,294	100
Smiths Creek Road	74,000	52,730	100
Mitchell Street	100,000	89,172	100
Fingal Road	350,000	219,588	80
Ducat Street	100,000	93,558	100
Stokers Road	150,000	95,251	100
Clothiers Creek Road	94,812	56,661	50
Carool Road	130,000	59,327	50
Gravel Resheeting	100,000	124,676	80
Concrete Footpaths	48,812	50,000	100

## Reports from Director Corporate Services

### TABLE (2)

The following expenditures have been incurred under Council's Maintenance Program to 31 December 1999:

#### (a) Local Roads

Description	\$ Expenditure	\$ Pro rata Budget	\$ Variation
General Maintenance	1,390,205	1,362,692	-27,513
Slashing	67,437	70,538	3,102
Kerb & Gutter	4,765	18,846	14,081
Bridges	65,004	93,154	28,149
Stormwater Drains	164,882	99,615	-65,267
Footpaths	19,490	49,154	24,664
Weed spraying	33,328	38,769	5,441
Reseals	164,653	250,000	85,347
Street Cleaning	86,727	99,615	12,889
Bus Shelters	6,178	8,723	2,545
Carparks	27,733	20,408	-7,325
Roadside Parks	12,878	21,108	8,238
Urban Rehabilitation	234,278	228,000	-6,278
Life Education Van	1,302	0	-1,302
Streetscape Maintenance	7,892	9,800	1,908
<b>TOTAL</b>	<b>2,286,752</b>	<b>2,370,422</b>	<b>78,679</b>

#### (b) Regional Roads

Description	\$ Expenditure	\$ Pro rata Budget	\$ Variation
Main Road 7733	9,742	24,985	15,243
Main Road 141	26,084	10,177	-15,907
Main Road 142	197,267	238,715	41,449
Main Road 143	22,228	43,031	20,803
Main Road 399	38,696	64,672	26,065
Main Road 450	200,225	181,323	-18,903
Main Road 541	46,278	58,762	12,484
<b>TOTAL</b>	<b>540,520</b>	<b>621,665</b>	<b>81,234</b>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T04. Bridges</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To provide and maintain a safe and effective bridge system for the transportation of goods and people throughout the Shire.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Bridges - Maintenance and Construction.</li> </ul>	<ul style="list-style-type: none"> <li>Provide a five year rolling program to replace timber bridges.</li> <li>Provide a program of scheduled maintenance of all bridges.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> <li>Ongoing</li> </ul>

## BRIDGE CONSTRUCTION

Project	Budget	Actual	% Complete
Cudgera Creek Bridge	200,000	240,878	100
Sweetnams Bridge	300,000	197,281	80
Fogartys Bridge	200,000	263,353	100

<b>SUB PROGRAM:</b>	<b>COMMUNITY PROTECTION</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T05. Drainage</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To minimise property damage by ensuring all built up areas have adequate stormwater drainage.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Management Services</li> </ul>	<ul style="list-style-type: none"> <li>To provide co-ordination of activities within this Budget Sub Program.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
<ul style="list-style-type: none"> <li>Planning.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure new areas are adequately drained and existing problems are alleviated.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>

The following drainage projects have been commenced or completed as at 31 December 1999:

Project	\$ Budget	\$ Actual	% Complete
Rosemount Ct	50,000	25,486	50
Pearl Street	15,000	9,826	100
Seaview Street	20,000	34,621	100

## Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T06. Foot &amp; Cycle Ways</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a transport infrastructure system that allows safe, convenient and comfortable pedestrian and cyclist movement to, from and within the Tweed Shire.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Foot and Cycle Ways.</li> </ul>	<ul style="list-style-type: none"> <li>Construct a foot and cycle system to link the major area in the urban centres.</li> </ul>	<ul style="list-style-type: none"> <li>Tenders called for the construction of foot and cycleways for the 1999/2000 Program</li> </ul>

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T08. Plant</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a cost effective plant fleet which enables Council to efficiently undertake its capital and maintenance works program.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Plant Operations.</li> </ul>	<ul style="list-style-type: none"> <li>Develop an eight year plan replacement program.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>

The following plant and vehicles have been purchased to 31 December 1999:

Item	Changeover Cost	
	Budget	Actual
Toro 580D Mower	80000	81065
Truck No 690 Nissan UD	130000	99434
Truck No 746 Isuzu	40000	40408
Additional Ute (Agenda 21 + Rec Services Carpenter	16000	14950
25 Vehicles (cars/wagons)	100,000	136,348
Miscellaneous Plant	(pro-rata 20,000)	14,115
Brushcutters	(pro-rata 25,000)	18800
Mowers	(pro-rata 20,000)	15964
Truck No 711 Isuzu	30,000	32,134
12T Hitachi Excavator	160,000	103,175
Volvo 250 Loader	85,000	90,000
2 Toro Mowers	42,000	35,000
	<b>748,000</b>	<b>681,393</b>

## Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T09. Depot</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a clean, safe, adequate sized and Budget Sub Program depot for the storage of plant, materials and as a work base for outdoor employees.

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"><li>• Works/Depots</li></ul>	<ul style="list-style-type: none"><li>• Provide future development plan for Murwillumbah and Tweed Heads Depots.</li></ul>	<ul style="list-style-type: none"><li>• Ongoing</li></ul>

## Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T10. Quarries</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To provide sufficient quality materials for Council's road maintenance and construction program.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Operations.</li> </ul>	<ul style="list-style-type: none"> <li>Provide adequate road making material for current and future demands.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
<ul style="list-style-type: none"> <li>Purchases.</li> </ul>		<ul style="list-style-type: none"> <li></li> </ul>

### Quarries

The following transactions had taken place in Council's quarries to 31 December 1999:

• Material sold	69,900 tonnes
• Income	\$439,831
• Expenditure	\$428,817
• Stock on hand	256,107 tonnes
• Value of stock on hand	\$1,670,000

<b>SUB PROGRAM:</b>	<b>TRANSPORT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>T07. Car Parks</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>13. Transport</b>
<b>RESPONSIBILITY:</b>	Manager Works - Bob Missingham
<b>SUB PROGRAM OBJECTIVE:</b>	To optimise traffic flow and pedestrian safety by providing adequate kerb side and off street car parking facilities.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Car Parks</li> </ul>	<ul style="list-style-type: none"> <li>Maintain the existing assets to a set design standards.</li> </ul>	<ul style="list-style-type: none"> <li>Sealing of the car park at Barry Smith Hockey Field has now been completed and line marked.</li> </ul>

Reports from Director Corporate Services

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# Environment & Community Services Quarterly Report

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**REPORT FOR THE PERIOD**

**1 SEPTEMBER 1999 TO 31 DECEMBER 1999**

**BUILDING SERVICES**

**ENVIRONMENT & HEALTH SERVICES**

**RECREATION SERVICES**



# Reports from Director Corporate Services

## Building

<b>SUB PROGRAM:</b>	<b>COMMUNITY PROTECTION</b>
<b>BUDGET SUB PROGRAM:</b>	<b>F01. Building Control</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>10. Community Protection</b>
<b>RESPONSIBILITY:</b>	Manager Building Services - Rick Paterson
<b>SUB PROGRAM OBJECTIVE:</b>	To ensure the safety and health of occupants of buildings in the Shire by the control of construction, use and maintenance of buildings and ensuring the structural integrity and efficiency of buildings incorporating principles of ecological sustainable development

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Existing buildings.</li> </ul>	<ul style="list-style-type: none"> <li>To ensure that during the life of all buildings, the safety of the occupants is adequately provided for.</li> <li>Provide members of the community with certificates and diagrams relative to this program.</li> </ul>	<ul style="list-style-type: none"> <li>Target achieved</li> <li>Complaints received were investigated and remedial orders issued where necessary</li> <li>Target achieved</li> <li>Applications for Building Certificates and other requests for information responded to expeditiously</li> <li>Applications for Drainage Diagrams responded to expeditiously</li> </ul>
<ul style="list-style-type: none"> <li>New Buildings.</li> </ul>	<ul style="list-style-type: none"> <li>Regulate building construction through the approval process.</li> <li>Ensure that building construction conforms with approvals issued, by an effective inspection process.</li> <li>Ensure all plumbing and drainage is installed to regulated standards.</li> <li>Development performance criteria to monitor the progress of applications and the inspection process.</li> </ul>	<ul style="list-style-type: none"> <li>Target achieved</li> <li>Building Applications, Development Applications and Construction Certificate Applications assessed and processed quickly and effectively</li> <li>Target achieved</li> <li>Building inspections carried out on request on buildings under construction</li> <li>Target achieved</li> <li>Plumbing and drainage inspections carried out on request for installations</li> <li>Target achieved</li> <li>More performance criteria being developed to respond to needs of new application assessment processes</li> </ul>

## Reports from Director Corporate Services

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Integrated Development Assessment Legislation.</li> </ul>	<ul style="list-style-type: none"> <li>Implement new legislation from 1 July 1998, with an emphasis on improved customer service.</li> </ul>	<ul style="list-style-type: none"> <li>Target mostly achieved</li> <li>New legislation processes implemented and being refined</li> <li>New processes being developed to provide for Complying Development scheduled for February/March 2000</li> <li>Improved customer service has been difficult to provide because of new dual application process introduced in amended Environmental Planning and Assessment Act</li> </ul>

## Reports from Director Corporate Services

### Environment & Health

<b>SUB PROGRAM:</b>	<b>COMMUNITY SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>C02. Civic Buildings</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>10. Community Services</b>
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To ensure community access to well maintained civic and community buildings, at a reasonable cost whilst minimising the reliance on Council General Fund.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Management of Civic buildings.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake maintenance as required.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>
<ul style="list-style-type: none"> <li>Utilisation of auditoriums.</li> </ul>	<ul style="list-style-type: none"> <li>Greater use of auditoriums.</li> </ul>	<ul style="list-style-type: none"> <li>Use increased</li> </ul>

<b>SUB PROGRAM:</b>	<b>COMMUNITY SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>C03. Libraries/Arts</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>10. Community Services</b>
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To support the cultural enrichment of the community by providing libraries and art gallery facilities.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Regional Library Service.</li> </ul>	<ul style="list-style-type: none"> <li>Supply a library service.</li> <li>A library service which meets the needs of students and recreational readers.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Regional Art Centre</li> </ul>	<ul style="list-style-type: none"> <li>Provide community access to art gallery.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
	<ul style="list-style-type: none"> <li>Attendance to increase from 20,000 to 21,000 during 1998/99.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
	<ul style="list-style-type: none"> <li>Maximise cultural grants coming into Shire from all sources.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>COMMUNITY SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>C04. Community Development</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>10. Community Services</b>
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To provide co-ordination and funding to support services facilities and networks, relative to the special needs of the aged and disabled, and other individuals who have a special need for community service.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Assist the aged and disabled.</li> </ul>	<ul style="list-style-type: none"> <li>Co-ordinate services and implement recommendations from the advisory committee.</li> <li>Ensure Council buildings and facilities comply with the Disability Discrimination Act.</li> <li>Community Options progress.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> <li>Ongoing.</li> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Community Planning</li> </ul>	<ul style="list-style-type: none"> <li>Develop plan for community facilities.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Children</li> </ul>	<ul style="list-style-type: none"> <li>Day Care Centres in Murwillumbah and Tweed Heads operate satisfactorily.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Youth</li> </ul>	<ul style="list-style-type: none"> <li>Contract Tweed Valley Family and Youth Support Service for one day service per week.</li> <li>Seek the opinion of Youth on issues likely to affect young people.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Seniors</li> </ul>		<ul style="list-style-type: none"> <li></li> </ul>

<b>SUB PROGRAM:</b>	<b>HEALTH</b>
<b>BUDGET SUB PROGRAM:</b>	<b>H00. Waste Management</b>
<b>PRINCIPLE ACTIVITY:</b>	
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a modern cost effective waste collection and disposal service for the Shire residents.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Waste depots.</li> </ul>	<ul style="list-style-type: none"> <li>Manage all waste depots in an environmentally acceptable manner.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Domestic waste/recycling collection.</li> </ul>	<ul style="list-style-type: none"> <li>Weekly kerb side collection for urban areas and selected rural routes.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Organise twice yearly "Household Rubbish Collection".</li> </ul>	<ul style="list-style-type: none"> <li>Provide a "hard" rubbish collection.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Waste minimisation.</li> </ul>	<ul style="list-style-type: none"> <li>Achieve Governments target of 36,400 tonnes by Year 2000.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> </ul>

## Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>HEALTH</b>
<b>BUDGET SUB PROGRAM:</b>	<b>H01. Commercial Waste</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>7. Health</b>
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a commercial business with an appropriate waste collection service.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Commercial waste collection</li> </ul>	<ul style="list-style-type: none"> <li>Disposal of commercial./industrial waste (excluding liquid waste) in accordance with Council's Waste Management Policy</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Asset Management</li> </ul>	<ul style="list-style-type: none"> <li>Commercial/industrial waste disposal fees equitably contribute to organising asset management on Council's tips</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>

<b>SUB PROGRAM:</b>	<b>COMMUNITY SERVICES</b>
<b>BUDGET SUB PROGRAM:</b>	<b>H02. Cemeteries</b>
<b>PRINCIPLE ACTIVITY:</b>	
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a cost effective and discreet service which caters for the Tweed communities needs.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Internments.</li> </ul>	<ul style="list-style-type: none"> <li>Timely internments as requested by Funeral Directors to Public Health standard.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Cemetery Maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>Maintain cemeteries in a pleasant condition.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>

<b>SUB PROGRAM:</b>	<b>HEALTH</b>
<b>BUDGET SUB PROGRAM:</b>	<b>H02 Health Services</b>
<b>PRINCIPLE ACTIVITY:</b>	
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To protect and promote the health and well being of the Tweed community by health and public safety measures.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Food premises inspection.</li> </ul>	<ul style="list-style-type: none"> <li>All food premises inspected.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Immunisation Clinics.</li> </ul>	<ul style="list-style-type: none"> <li>Conduct monthly clinics.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Health, safety and complaint investigation.</li> </ul>	<ul style="list-style-type: none"> <li>Investigate and act on complaints where applicable.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Public Swimming Centres.</li> </ul>	<ul style="list-style-type: none"> <li>Provide safe public swimming complexes.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Sustaining the Tweed Agenda 21.</li> </ul>	<ul style="list-style-type: none"> <li>Commence implementation.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>

## Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>COMMUNITY PROTECTION</b>
<b>BUDGET SUB PROGRAM:</b>	<b>H02. Ranger</b>
<b>PRINCIPLE ACTIVITY:</b>	
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To protect the community and environment by regulating stray animals, fire hazards, roadside activities and vehicles on beaches.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Only permitted vehicles to drive on beaches.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Implement new Act.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Ensure all potential fire hazards are removed.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Ensure roadside is free of hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>

<b>SUB PROGRAM:</b>	<b>ENVIRONMENT</b>
<b>BUDGET SUB PROGRAM:</b>	<b>E01., E02., E04. Environment Protection</b>
<b>PRINCIPLE ACTIVITY:</b>	
<b>RESPONSIBILITY:</b>	Manager Environment & Health Services - Geoff Edwards
<b>SUB PROGRAM OBJECTIVE:</b>	To provide a range of services which help protect the environment, such catchment management pollution control, flora and fauna protection.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Co-ordinate between Council and Total Catchment Management Committee.</li> </ul>	<ul style="list-style-type: none"> <li>Co-ordinate activities to reduce overlap.</li> </ul>	<ul style="list-style-type: none"> <li>Achieved.</li> </ul>
<ul style="list-style-type: none"> <li>Pollution control.</li> </ul>	<ul style="list-style-type: none"> <li>No development application to create unacceptable pollution.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>
<ul style="list-style-type: none"> <li>Protect flora and fauna.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure rare species are noted and propagated for distribution.</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing.</li> </ul>

# Reports from Director Corporate Services

## Recreation

<b>SUB PROGRAM:</b>	<b>RECREATION</b>
<b>BUDGET SUB PROGRAM:</b>	<b>R01. Active Recreation</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>8. Recreation</b>
<b>RESPONSIBILITY:</b>	Manager Recreation Services - Stewart Brawley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide and maintain a standard of sporting facility based on a realistic estimate of anticipated needs..

<b>Main Functions</b>	<b>Performance Targets</b>	<b>Performance Report</b>
<ul style="list-style-type: none"> <li>General Maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>To maintain sportsgrounds to the standard required by the individual site in keeping with sporting characteristics.</li> </ul>	<ul style="list-style-type: none"> <li>Sportsgrounds maintained to standard required</li> </ul>
<ul style="list-style-type: none"> <li>Pricing.</li> </ul>	<ul style="list-style-type: none"> <li>To implement a pricing system for the use of sportsgrounds by users in structured recreation.</li> </ul>	<ul style="list-style-type: none"> <li>Pricing system in place</li> </ul>
<ul style="list-style-type: none"> <li>Planning.</li> </ul>	<ul style="list-style-type: none"> <li>Provide sufficient open space facilities throughout the Shire in relation to demographic needs.</li> </ul>	<ul style="list-style-type: none"> <li>Open Space provided in accordance with Tweed Shire Management Plan 1994/95</li> </ul>
<ul style="list-style-type: none"> <li>Grass cutting.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake seasonally adjusted mowing of fields.</li> </ul>	<ul style="list-style-type: none"> <li>Mowing adjusted seasonally as required</li> </ul>
<ul style="list-style-type: none"> <li>Fertilising.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake fertilising of grounds as required.</li> </ul>	<ul style="list-style-type: none"> <li>Fertilising undertaken as required</li> </ul>
<ul style="list-style-type: none"> <li>Spraying.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake spraying of broadleaf weeds as required.</li> </ul>	<ul style="list-style-type: none"> <li>Spraying undertaken as required</li> </ul>
<ul style="list-style-type: none"> <li>SDI</li> </ul>	<ul style="list-style-type: none"> <li>Undertake continued Risk Management practices in accordance with Tweed Shire Council Management Plan 1994/95</li> </ul>	<ul style="list-style-type: none"> <li>Risk Management undertaken in accordance with TSC Management Plan 1994/95</li> </ul>
<ul style="list-style-type: none"> <li>Irrigation.</li> </ul>	<ul style="list-style-type: none"> <li>Automatic irrigation systems are being placed in according to Council budget.</li> </ul>	<ul style="list-style-type: none"> <li>New irrigations systems planned for fields in accordance with Council budget</li> </ul>
<ul style="list-style-type: none"> <li>Sports Advisory Committee.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake monthly meetings of Advisory Committee.</li> </ul>	<ul style="list-style-type: none"> <li>Monthly meetings held</li> </ul>

# Reports from Director Corporate Services

<b>SUB PROGRAM:</b>	<b>RECREATION</b>
<b>BUDGET SUB PROGRAM:</b>	<b>R02 Passive Recreation</b>
<b>PRINCIPLE ACTIVITY:</b>	<b>8. Recreation</b>
<b>RESPONSIBILITY:</b>	Manager Recreation Services - Stewart Brawley
<b>SUB PROGRAM OBJECTIVE:</b>	To provide and maintain a satisfactory standard or environmentally sound and aesthetically pleasing parkland for the health and enjoyment of residents and visitors.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Planning.</li> </ul>	<ul style="list-style-type: none"> <li>Provide sufficient open space and suitable facilities for casual recreation throughout the Shire in relation to demographic needs.</li> <li>Assess open space provisions on all development applications.</li> </ul>	<ul style="list-style-type: none"> <li>Open space and facilities provided via standard criteria</li> <li>All open space provisions assessed on DA's</li> </ul>
<ul style="list-style-type: none"> <li>General Maintenance.</li> </ul>	<ul style="list-style-type: none"> <li>To maintain and improve the visual amenity of parklands.</li> </ul>	<ul style="list-style-type: none"> <li>Parklands maintained and improved within budget</li> </ul>
<ul style="list-style-type: none"> <li>Mowing.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake seasonably adjusted mowing of grassed areas.</li> </ul>	<ul style="list-style-type: none"> <li>Grassed areas mown on seasonal adjustment</li> </ul>
<ul style="list-style-type: none"> <li>SDI.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake continued risk management practices in accordance with Tweed Shire Council Management plan 1994/95.</li> </ul>	<ul style="list-style-type: none"> <li>Risk Management undertaken in accordance with TSC Management Plan 1994/95</li> </ul>
<ul style="list-style-type: none"> <li>Litter.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake regular litter collection.</li> </ul>	<ul style="list-style-type: none"> <li>Litter collected regularly</li> </ul>
<ul style="list-style-type: none"> <li>Pruning.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake tree prunings as necessary.</li> </ul>	<ul style="list-style-type: none"> <li>Trees pruned as necessary</li> </ul>
<ul style="list-style-type: none"> <li>Nursery.</li> </ul>	<ul style="list-style-type: none"> <li>Have available for Council and community use, trees and shrubs of rare and endangered species suitable for Tweed.</li> </ul>	<ul style="list-style-type: none"> <li>All trees and shrubs of rare and endangered species available for Council and community</li> </ul>

<b>SUB PROGRAM:</b>	<b>RECREATION</b>
<b>BUDGET SUB PROGRAM:</b>	<b>R04. Dunecare</b>
<b>PRINCIPLE ACTIVITY:</b>	
<b>RESPONSIBILITY:</b>	Manager Recreation Services - Stewart Brawley
<b>SUB PROGRAM OBJECTIVE:</b>	To maintain a safe environment on beaches to enable their recreational use whilst endeavouring to preserve the coastal system from environmental degradation.

Main Functions	Performance Targets	Performance Report
<ul style="list-style-type: none"> <li>Dunecare Groups.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake assistance to Dunecare groups.</li> </ul>	<ul style="list-style-type: none"> <li>Dune care groups provide assistance</li> </ul>
<ul style="list-style-type: none"> <li>Dunecare Advisory Committee</li> </ul>	<ul style="list-style-type: none"> <li>Undertake bi-monthly meetings of the Committee.</li> </ul>	<ul style="list-style-type: none"> <li>Bi-monthly meeting progressing</li> </ul>
<ul style="list-style-type: none"> <li>Fencing/Walkways.</li> </ul>	<ul style="list-style-type: none"> <li>Undertake construction &amp; maintenance of fences &amp; walkways to beaches from Council parks.</li> </ul>	<ul style="list-style-type: none"> <li>Fences &amp; walkways to beaches constructed &amp; maintained as required</li> </ul>
<ul style="list-style-type: none"> <li>SDI</li> </ul>	<ul style="list-style-type: none"> <li>Undertake regular safety inspections of walkways &amp; fences.</li> </ul>	<ul style="list-style-type: none"> <li>Regular safety inspection of walkways &amp; parks undertaken.</li> </ul>



## Reports from Director Corporate Services

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# Reports from Director Engineering Services

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**11. ORIGIN: Water Unit**

**FILE REF: Reservoirs - Banora Point, Mobile Phone Towers**

**REPORT TITLE:**

**Banora Point Reservoirs - Lease to Vodafone**

**SUMMARY OF REPORT:**

Vodafone Pacific Pty Limited has a current lease with Council to occupy part of Council's Water Reservoir site in Terranora Road Banora Point and operate telecommunications equipment. The company has recently restructured and wishes to assign the lease to Vodafone Network Pty Limited. The request appears reasonable.

**RECOMMENDATION:**

That all necessary plans and documentation be completed under the Common Seal of Council as required.

## Reports from Director Engineering Services

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### REPORT:

Vodafone Pacific Pty Limited has a current lease with Council to occupy part of Council's Water Reservoir site in Terranora Road Banora Point and operate telecommunications equipment. The company has recently restructured and wishes to assign the lease to Vodafone Network Pty Limited. The request appears reasonable.

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## Reports from Director Engineering Services

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**12. ORIGIN: Water Unit**

**FILE REF: PF1260/481**

**REPORT TITLE:**

**Easements over Lot 1 DP716151**

**SUMMARY OF REPORT:**

Council at its meeting on 19 January 2000 resolved to grant easements for electricity and water supply lines over its property Lot 1, DP716151 to supply the neighbouring property owned by R M & H F Duckworth.

**RECOMMENDATION:**

That all necessary plans and documentation be completed under the Common Seal of Council as required.

## Reports from Director Engineering Services

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### REPORT:

Council at its meeting on 19 January 2000 resolved to grant easements for electricity and water supply lines over its property Lot 1, DP716151 to supply the neighbouring property owned by R M & H F Duckworth.

The original recommendation omitted to authorise the completion of the necessary documentation under the Common Seal of Council.

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# Reports from Director Environment & Community Services

## **13. ORIGIN: Environment & Health Services Unit**

**FILE REF: Civic Centre - Tweed Heads, Civic Centre - Murwillumbah**

### **REPORT TITLE:**

**Subsidised Use of Tweed Heads and Murwillumbah Auditoriums and Meeting Rooms**

### **SUMMARY OF REPORT:**

Council has resolved that a report be prepared on the above. In the preparation of such, a number of issues arise which it is felt that Council should workshop to determine its position. In addition it is recommended outstanding requests for subsidised use in the near future should be determined under the current policy guidelines.

### **RECOMMENDATION:**

That Council:-

1. Workshops the issues raised in the report and others that may arise in relation to the subsidised use of the Tweed Heads and Murwillumbah Auditoriums and Meeting Rooms
2. Authorises the determining of outstanding requests for subsidised use under the current policy guidelines for use up to June 30, 2000.

## Reports from Director Environment & Community Services

### REPORT:

Council at its meeting on 17 November 1999 resolved that a report be prepared on the use of the civic centres with regard to the organisations using the centres for free and income Council has forgone.

The Tweed Heads Civic Centre has the greater use in regard to areas available for hire which include the auditorium, meeting room and auditorium foyer area.

Murwillumbah has only the auditorium available with a previous meeting room now part of the library and the residue meeting room currently "set up" and used for staff computer training. The restaurant at Murwillumbah is under lease and therefore its use is by arrangement with the lessee.

The current fees and charges for use of the civic centres is set out below:-

(a)	Foyer	174.00
(b)	Cabaret ball	458.00
(c)	Social, dance or juvenile ball	242.00
(d)	Wedding, party, dinner	242.00
(e)	Luncheon	157.00
(f)	Local art, craft and stamp displays	88.00
(g)	Local productions	149.00
(h)	Professional productions	288.00
(i)	Meetings	138.00
(j)	Religious meetings per half day	92.00
(k)	Religious meetings per full day	133.00
(l)	Schools	128.00
(m)	Schools (socials, discos) plus bond	183.00
(n)	Elections	355.00
(o)	Music Festival	105.00
(p)	Blue Light Disco Plus Bond	126.00
(q)	Commercial Display	287.00
(r)	Keep Fit, Dance or Similar Classes	
	• First hour	28.00
	• Each subsequent hour	15.50
	<b>Meeting Room</b>	
	• Tweed Head Centre	49.00
	• with kitchen	56.00

As well as the fees and charges, Council has a Policy E5 Community Building and in particular, Section E5.5 Fee Concession as set out below governs the free or discounted fee use of the civic centres

#### ***"E5.5 Fee Concession***

*Fee waivers and discounts on a needs basis be continued to be provided at the discretion of Council's Director of Environment and Community Services and the Manager Environment and Health."*



## Reports from Director Environment & Community Services

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Over the last two years there has been an increasing demand for meeting space, especially at the Tweed Heads Civic Centre and especially by “community” or “not for profit groups” who all request free use because of their “community” or “charity” fund raising purpose or inability to pay.

A list of such groups appears as an attachment to the business paper.

In addition, Council has supported the Northern River Orchestra over this period, through free use of the auditoriums for concert recitals and free use for rehearsals prior to a concert, although it has been agreed that a paying booking would prevail over any rehearsal.

Council has also supported the “Country on the Tweed” festival by free use and also the Tweed Theatre Company by similar free use for performances in October and November and free use for rehearsals subject to the same arrangement as the orchestra rehearsals.

In addition, Council has resolved to waive charges for the Tweed Heads Hospital Auxiliary for use of the meeting room for one year.

Currently requests have been received for use of the Tweed Heads Civic Centre Auditorium for rehearsals by the Northern River Orchestra for most Wednesday evenings during 2000, including five weekend concerts, by the Tweed Theatre Company for rehearsals and performances spread over a three week period in March/April, July/August and November, by the Tweed Cultural Arts for one Sunday each month, and by the Country on Tweed for a festival in September. As well, the Tweed Heads Hospital Auxiliary wish to extend their use for a further 2/3 years. All the above requesting free use.

During the last financial year the income for Tweed Heads was \$16719 whilst Murwillumbah was \$12269. The value of waived or reduced income for Tweed Heads was \$27212 and while Murwillumbah’s value was not available at the time of printing the business paper, a figure will be produced at the meeting.

Expenditure figures for each auditorium and meeting room are not available because such costs as electricity, rates, water sewer etc are all part of the overall expenditure for the Civic Centres at Tweed Heads and Murwillumbah and include the administration and library component.

In determining which if any organisation should receive subsidised use of these facilities, the following issues are raised:-

1. The Council fees structure is generally considered more than reasonable considering the standard of facilities especially now air conditioning is provided. However the fee structure does not represent a full return on asset cost or yearly expenditure and is therefore already set at a subsidised rate.
2. Would the charging of full fees for all usage mean that more organisations would not be able to afford such fees and therefore the facilities would become under utilised? The need for Council to provide a community facility such as these auditoriums is significant as part of the Shire’s social and cultural structure.
3. As these facilities have been and are currently being paid for by the community should all community organisations have “free” use? This same statement could be said about all

## Reports from Director Environment & Community Services

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Council's assets and is not considered reasonable especially in the current climate of "user pays".

4. Should fees only apply to private functions, professional productions, commercial users and party political events, but not to community use or even at a lower rate for community use? Problems arise in defining community use such as only Tweed Shire Community, or Tweed Shire branches of a State or Federal organisation and what about Queensland groups or organisations?
5. Should free or subsidised use be funded from Council's donation fund whereby Council is seen to donate an amount of funds to a group which in turn use the funds for the hire of the auditorium or meeting room? Such transaction being merely an internal accounting procedure but clearly showing Council's value of donation.
6. Should Council's fee structure include the possibility of the hire of the auditorium being part of ticket sales whereby any group which charges entry to an event could elect to either pay the fixed hire fee or pay to Council for the use of the facility say 15% of each ticket sold? Thus the theatre groups could put on a performance and if not a success at the "box office" the hire fee would not be a major cost for the production.
7. Should any organisation that raises funds through charging admission be entitled to subsidised use or should the ticket deal as per item 6 above be enforced or full payment made? Is it reasonable for Council to continue to provide free or subsidised usage to groups who then pass on any profits to its nominated charity?
8. Council's use of such facilities are currently at no direct cost to the unit who arranges such use. Should this continue?
9. Subsidised use of the Tweed Heads Civic Centre has reduced demand for the new South Tweed Heads Community Centre and thus if any subsidised use be set, it be at a level above the hire fee for the South Tweed Community Centre.
10. Should an initial short term subsidised use be provided for groups trying to establish anew festival or cultural endeavour?

In view of the above issues it is considered that a workshop be held to determine Council's preferred position in relation thereto and that in the meantime requests for subsidised use up to June be determined as per the current policy.

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## Reports from Director Environment & Community Services

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### 14. ORIGIN: Environment & Health Services Unit

**FILE REF:** Civic Centre -Murwillumbah

#### **REPORT TITLE:**

**Proposed Transfer of Catering Licence and Auditorium Caretaker/Cleaner Agreement from R & J Matthews to G Moore for the Canvas & Kettle Restaurant and Murwillumbah Auditorium**

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

The current licensees of the above advise they wish to transfer the licence to Mr Greg Moore as per the terms of the current licence and their agreement for caretaker/cleaner of the Auditorium. No objections are raised.

#### **RECOMMENDATION:**

That:-

1. Council approves the assignment of the licence for the Canvas & Kettle Restaurant and the caretaker/cleaner agreement for the Murwillumbah Auditorium from Rod and Jane Matthews to Greg Moore subject to all current conditions and expiry date.
2. All necessary documentation be completed under the Common Seal of Council.

## Reports from Director Environment & Community Services

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### REPORT:

The current licensee of the Canvas and Kettle Restaurant has submitted a request that the licence be transferred to Mr Greg Moore from 4 February 2000 as per Clause 18 of the licence.

Mr Moore has previously been involved in the catering business including Wharf Street Café in Murwillumbah, is the catering director for the Tyalgum Digger Sports and was previous proprietor of the Village Guest House, Uki.

He has been interviewed and has agreed to abide by the existing licence agreement as well as take on the role of Murwillumbah Auditorium caretaker/cleaner as per the existing agreement with the Matthews'.

He is aware of the current expiry date of these agreements.

No objection is therefore raised to this proposed transfer.

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## Reports from Director Environment & Community Services

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**15. ORIGIN: Environment & Health Services Unit**

**FILE REF: Drugs Related Matters, Public Toilets**

**REPORT TITLE:**

**Needle Disposal Bins in Public Toilets**

**SUMMARY OF REPORT:**

Council resolved that the Director Environment and Community Services investigates the installation of needle disposal units in all public toilets and report back to Council. It was also resolved to invite a representative from the Northern Region Area Health Service (NRAHS) to address the Community Access session on 9 February 2000 on the same issue.

**RECOMMENDATION:**

That Council notes this report and defers any action until after the Community Access Meeting of 9 February 2000.

## Reports from Director Environment & Community Services

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### REPORT:

At its meeting of 22 September 1999 Council resolved:

*“ that the Director Environment and Community Services investigates the installation of needle disposal units in all public toilets and reports back to Council.”*

In response to Council’s request the following indicative costs are supplied:

Tweed Shire has forty-one (41) public toilets within the care of Council. All provide separate male and female facilities with some catering separately for disabled persons. As a guide the following costs are offered for needle disposal units:

Installation and servicing of one only 1.5L metal sharps container (monthly service with status report provided)	<b>\$108 pa</b>
Installation and servicing of one only 20L metal sharps container (monthly service with status report provided)	<b>\$228 pa</b>
Should container require to be mounted on independent post cost each	<b>\$395 once off</b>

Thus should Council resolve to install a 1.5L unit in each public toilet in both male and female facility the cost to Council would be approximately \$8748 per annum.

As Council is aware any decision to provide or not provide such units is one in which the community has very mixed points of view.

Council will also recall at its December 1<sup>st</sup> meeting it resolved:

*“...that Council:-*

- 1. Notes receipt of the letter from the NRAHS regarding the issue of needle disposal bins in toilets*
- 2. Invites a representative of the service to address Council at a Community Access Meeting.”*

To this end a representative of the NRAHS will address Council at its Community Access meeting on 9 February and a copy of the letter appears as an attachment to the business paper.

Apart from the financial consideration it is felt that Council should defer this report until after the Community Access address.

## Reports from Director Environment & Community Services

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**16. ORIGIN: Environment & Health Services Unit**

**FILE REF: Library - Richmond Tweed Regional, GST**

**REPORT TITLE:**

**Financial Impact of a Goods and Services Tax (GST) on Public Libraries**

**SUMMARY OF REPORT:**

The Richmond-Tweed Regional Library has requested that Council writes to the Prime Minister and Local Member in relation to the conflict a Goods and Services Tax (GST) on books would appear to have with the "Florence Agreement" and the "Nairobi Protocol".

**RECOMMENDATION:**

That Council writes to the Prime Minister and the Local Federal Member requesting that:-

- In accordance with the intent of the "Florence Agreement" and the subsequent "Nairobi Protocol" that all books sold in Australia be Goods and Services Tax (GST) exempt;
- Rate-supported free public libraries in Australia be entirely exempt from the GST or, alternatively, that the Federal Government provide direct per capita funding for such public libraries to compensate for the extra costs imposed by the GST.

## Reports from Director Environment & Community Services

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### REPORT:

Council is advised that the request as set out below has been received from the Richmond-Tweed Regional Library:-

*“At the Ordinary Meeting of the Richmond-Tweed Regional Library Committee, held at Tweed Heads on 16th December 1999, the Committee received a report on the adverse financial impact of a GST on public libraries.*

*In particular the committee was advised that, as Australia is a signatory to the UNESCO “Florence Agreement” and the subsequent “Nairobi Protocol” the imposition of a GST on books would conflict with the principals of that International agreement.*

*The Committee **Resolved:** that each partner Council be requested to write both to the Prime Minister and to their local Federal member of Parliament, requesting that:*

- (g) In accordance with the intent of the “Florence Agreement” and the subsequent “Nairobi Protocol” that all books sold in Australia be Goods and Services Tax (GST) exempt;*
- (h) Rate-supported free public libraries in Australia be entirely exempt from the GST or, alternatively, that the Federal Government provide direct per capita funding for such public libraries to compensate for the extra costs imposed by the GST.*

*I should therefore be most grateful if you would write in those terms on behalf of Tweed Council. Please let me know if you require any further information.*

In view of the impending introduction of the Goods and Services Tax it is recommended that Council writes to the Prime Minister and Local Federal Member in the terms suggested.



## Reports from Director Environment & Community Services

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**17. ORIGIN: Recreation Services Unit**

**FILE REF: Pat Smith Park**

**REPORT TITLE:**

**Proposed Shelter - Pat Smith Park, Dulguigan Road**

**SUMMARY OF REPORT:**

Council received a letter dated 22 November 1999 from Murwillumbah Amateur Cycle club Inc requesting a shelter in Pat Smith Park, Dulguigan Road. As the shelter will be utilised primarily by the cycle club whilst being available to the general public, a cost sharing offer by the Club was negotiated. Additionally, the cycle club requested a suitably erected sign acknowledging the club contribution.

**RECOMMENDATION:**

That Council:-

1. Accepts the offer of \$2,000 from Murwillumbah Amateur Cycle Club Inc as a contribution to a shelter in Pat Smith Park, Dulguigan Road; and
2. Places a suitably inscribed sign on the shelter acknowledging Murwillumbah Cycle Club's involvement in the project with Council.

## Reports from Director Environment & Community Services

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### REPORT:

Council received a letter dated 22 November 1999 from Murwillumbah Amateur cycle Club Inc requesting a shelter in Pat Smith Park, Dulguigan Road:-

*“Our Club uses the above park as its base to conduct its weekly racing each Saturday afternoon from February to November inclusive. It is also used for three days over Easter each year.*

*The park is our virtual “clubhouse” and we take pride in its appearance by keeping it tidy of papers and drink containers, even taking away those items left by the general public during the week.*

*We are now seeking assistance from Council to erect a suitably sized, open sided, permanent shelter in the park. This will allow us some protection from the elements during “sign-on” before racing, presentations after racing and spectator cover whilst racing is in progress.*

*As well, the shelter will be used by the general public at any time during the other six and a half days of the week.*

*We envisage a basic, but sturdy, structure on a cement slab with a minimum of 2 tables and chairs, and no walls (open-sided).*

*Our Club is prepared to provide cash and/or labour to achieve what we believe will be a valuable asset at the park for ourselves and the general public.*

*For your information, we have averaged 45 riders so far this year on Saturday afternoon plus supporters and at Easter, there is 90 - 100 riders plus supporters.*

*We would appreciate a meeting with the relevant Council Officer(s) to further discuss this proposal.”*

Council replied in a letter dated 8 December 1999 informing that funds for this project were currently unavailable and inviting club representatives to further discuss the options available considering the club’s offer of cash or labour contributions.

A subsequent meeting was held with the Manager Recreation Services and Cycle Club representatives. As a result of this meeting the following proposal was forwarded to the Cycle Club:-

*“I refer to the Cycle club request for a shelter and tables in Pat Smith Park, Dulguigan Road.*

*Further to discussion with representatives of the Cycle Club regarding the clubs contribution to a shelter, and a review of ‘surplus materials’ available for construction, I forwarded the following proposal for your consideration.*

- *Utilising ‘surplus’ roof trusses, posts and slats the costs to erect a 4.8m x 4m shelter with Colorbond roof and concrete slab.*

## Reports from Director Environment & Community Services

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<i>Cycle Club contribution</i>	<i>\$2,000.00</i>
<i>Tweed Shire Council contribution</i>	<i>\$2,696.00</i>
<i>Total costs</i>	<i>\$4,696.00</i>

- *Two tables supplied by Tweed Shire Council.*

*Should this arrangement be agreeable to the cycle club, please contact the undersigned to arrange an on-site to determine an appropriate location for the shelter."*

The Cycle Club's response to this offer is as follows:-

*I refer to your letter of 18 January 2000 and advise that at our Club meeting on 18 January, it was resolved to accept Council's proposal of a revised total cost of \$4,696.00 to erect a shelter, with our cash contribution being \$2,000.00.*

*One condition we seek is that a suitably inscribed sign is placed on the shelter acknowledging our Club's involvement in the project with Council.*

*Three Club member can accompany you for an on-site inspection. They are Jeff Collier, Mark Milsom and Jim Higgins. Please liaise with Jeff Collier.*

*We look forward to an early start and completion of the project.*

*Please advise Jeff Collier when you require our funds.*

As the shelter will be utilised primarily by the cycle club whilst providing a facility for other potential park users, the above proposition is considered to a an equitable arrangement.

The request for a suitable sign acknowledging the Club's involvement is consistent with past practices when community groups have contributed to public facilities.

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## Reports from Director Environment & Community Services

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## Reports from Director Environment & Community Services

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**18. ORIGIN: Environment & Health Services Unit**

**FILE REF: DA1041/690**

**REPORT TITLE:**

**Objections to Development Proposal**

**SUMMARY OF REPORT:**

A Development Application has been received for the erection of a three (3) storey residence on property described as Lot 25 DP 8568 (46) Charles Street, Tweed Heads which has been objected to by several affected property owners.

**RECOMMENDATION:**

That:-

1. Council approves the proposed height of the building in accordance with the plans submitted for property described as Lot 25 DP 8568 (46) Charles Street, Tweed Heads.
2. Development Determination be dealt with under delegation by the Director Environment and Community Services.

## Reports from Director Environment & Community Services

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### REPORT:

A Development Application has been received by Council for the demolition of an existing residence and the erection of a three (3) storey residence with an inground concrete swimming pool on the beforementioned property. The land is zoned 2(a) Residential under the Tweed Local Environmental Plan 1987 and therefore the erection of a dwelling in this zone is permissible with consent.

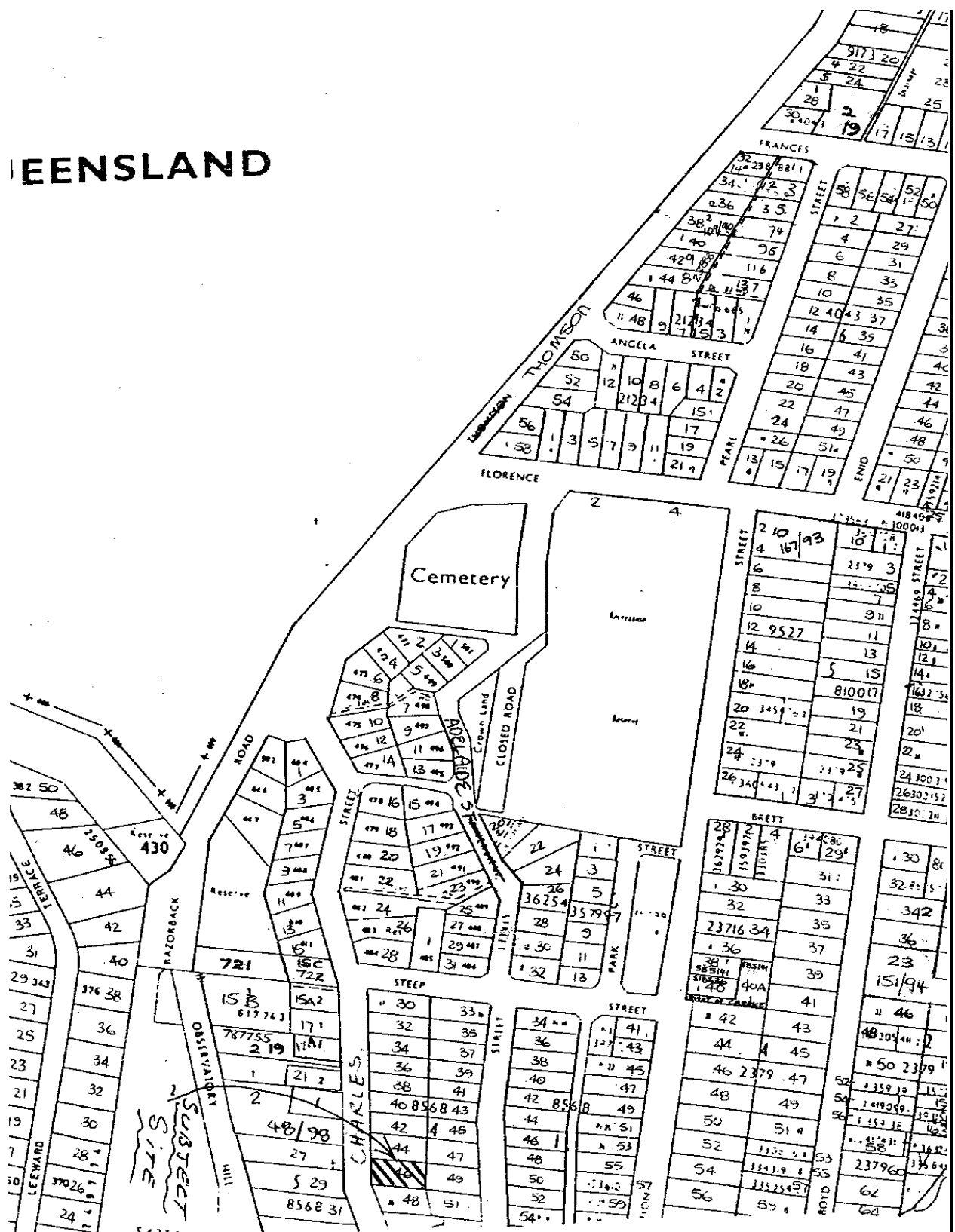
The proposal was notified to affected property owners whereby 4 letters of reply containing objections were received.

The subject site is located on the low side of Charles Street and on the east facing side of Razorback Hill. The proposed residence has basically a flat roof and will stand approximately six decimal two (6.2) metres above the level of the Charles Street roadway at its highest point. The roof line of the dwelling that currently exists on the site is approximately level with the roadway.

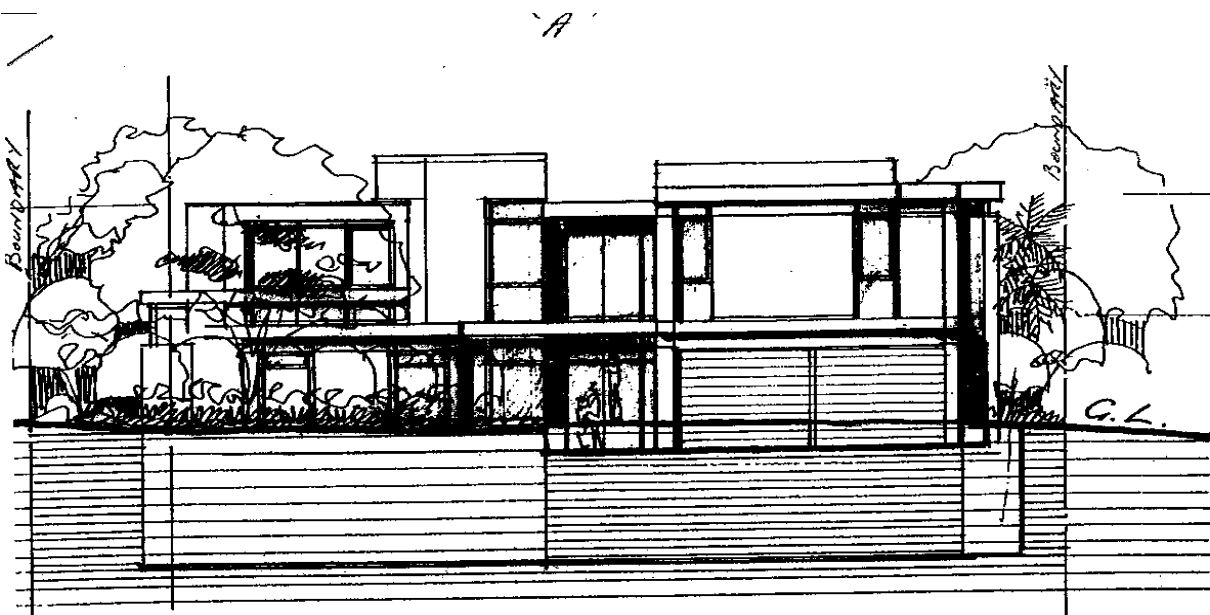
A draftsman's impression of the elevation of the proposal as viewed from Charles Street has been reproduced for Council's information together with a site plan and north and south elevations:-

# Reports from Director Environment & Community Services

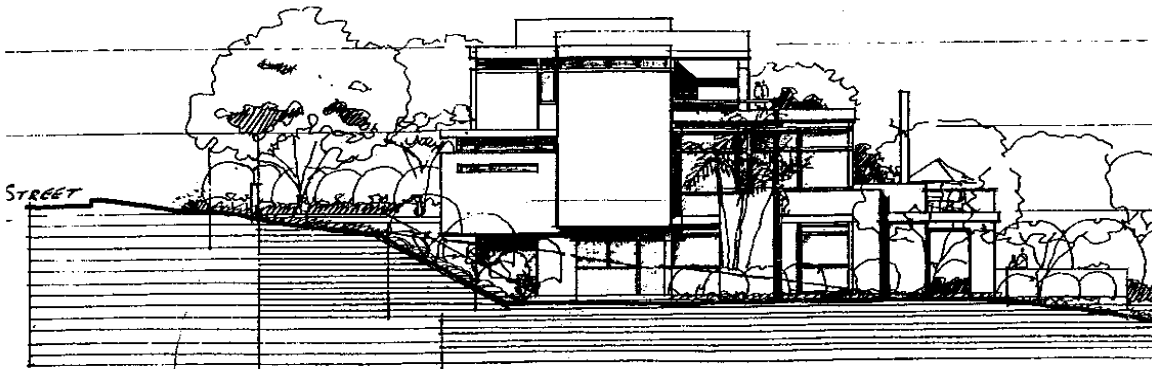
## MEENS LAND



# Reports from Director Environment & Community Services



(VIEW FROM CHARLES STREET)



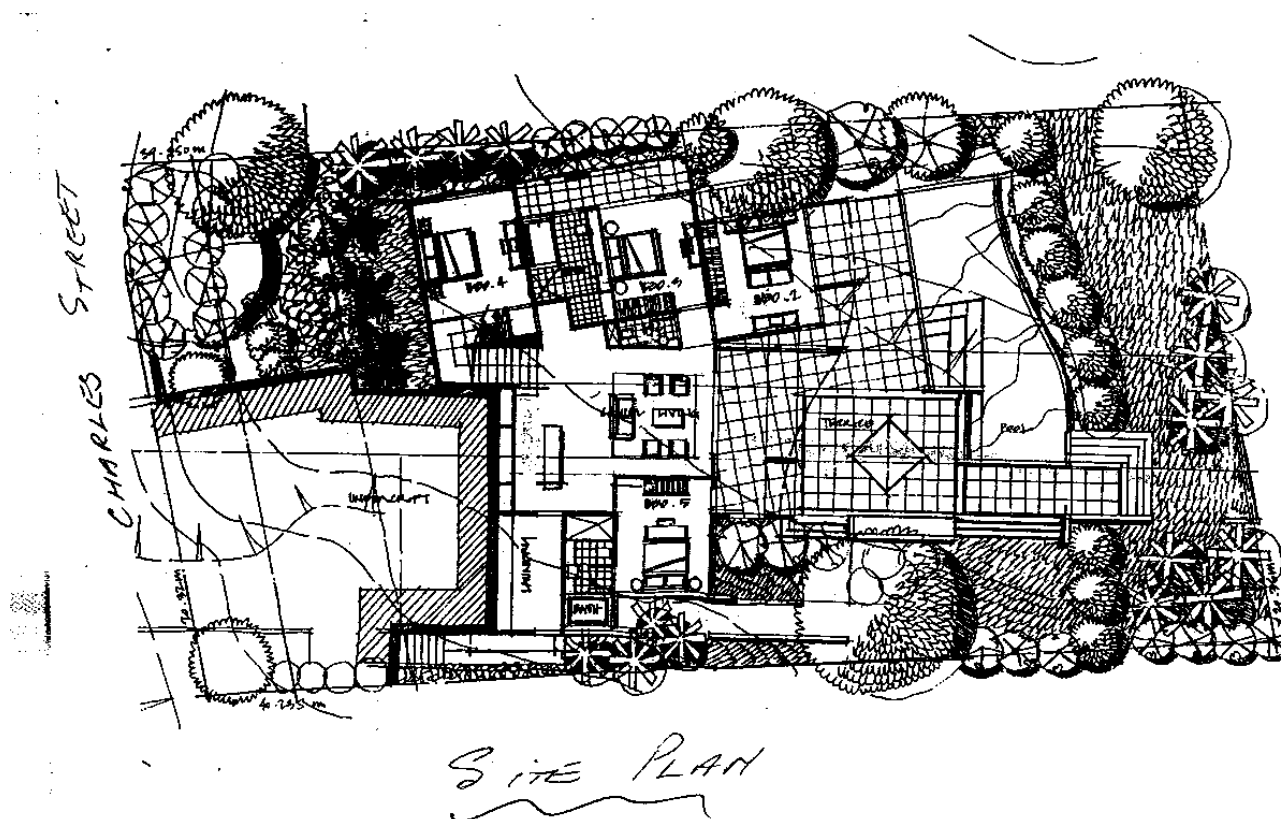
SOUTHELEVATION - (AS VIEWED FROM No. 48)



NORTH ELEVATION



## Reports from Director Environment & Community Services



In regard to the objections, all submission brought up the fact that Council's exhibited draft Local Environmental Plan recommended a two (2) storey height limit for this particular area to preserve the character of the area and maintain views and whilst the Local Environmental Plan is not in force at this stage Section 79(c)(i) of the Environmental Planning and Assessment Act 1979 states inter-alia, that in determining a development application, a consent authority is to take into consideration the provisions of any draft environmental instrument that is or has been placed on public exhibition and therefore some weight must be given to the draft Local Environmental Plan in considering this proposal.

It should also be noted that an inspection of the existing developments along Charles Street identified that no three (3) storey buildings exist along the east facing blocks between Florence Street and Adelaide Street, however, some three storey buildings and some high set buildings exist on the southern orientated portion of Charles Street.

The submissions also included concerns in relation to the effects on views.

A site inspection to determine the effect of the proposal from each of the properties where concerns had been raised identified that some views, which include the Tweed River, the ocean and in one instance, Cook Island, will be obstructed, however, a similar impact could result with the construction of a two (2) storey residence with a pitched roof. It should also be noted that some trees exist at the front of the site which already obstruct a percentage of view from the adjacent property which would be similar to the impact of the proposal.

## Reports from Director Environment & Community Services

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Another concern raised relates to the impact of overshadowing caused by the proposal on the premises on the southern side.

Representation made on behalf of the applicant identify that the setback from the southern side boundary at the third storey is between 1.5 and 2.0 metres and that the length of the three storey section of the southern wall is 7.0 metres. Plans also indicate that the wall setback at levels one and two is a minimum of 1.0 metre with an average setback of 1.7 metres. The southern elevation also indicates that the front portion of the site which is immediately below the three storey portion is to be excavated.

Had the proposal been two storeys and sited as shown using existing ground levels, and not excavating the site, the overall height of the building would be comparable to the levels currently proposed, particularly in the event that a pitched roof was proposed.

The proposal also is designed with a flat roof which minimises the overall height in comparison to a proposal with a pitched roof.

It should also be noted that while the proposal will create some overshadowing of the site on the southern side, the existing residence on this site is set well back from the front boundary in comparison to the proposal which stands approximately seven (7) metres back from the front boundary and therefore while some overshadowing of the site will occur the proposed design minimises any adverse shadowing impacts on the existing residence.

In regard to the suitability of the site for the proposal, a site stability report and site drainage plan has been requested due to the known instability of some land in the immediate area; in reply the applicant has requested that Council first consider the submissions in relation to the height of the proposal prior to pursuing this information.

In conclusion it is considered that while the proposal exceeds the three storey height limit recommended in the draft Local Environmental Plan, the use of a flat roof throughout the design has minimised the overall height of the building which would be comparable to a two storey house with a pitched roof and therefore it is recommended that the three storey proposal be approved.

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## Reports from Director Environment & Community Services

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**19. ORIGIN: Environment & Health Services Unit**

**FILE REF: Agenda 21**

**REPORT TITLE:**

**Update "Sustaining the Tweed" Program**

**SUMMARY OF REPORT:**

Council's Sustaining the Tweed (Agenda 21) program has now been running for three years. This report outlines the objectives, current initiatives and possible future projects to be pursued as part of Council's endeavours to integrate sustainability into all areas of responsibility as is required by the recent amendment's to the Local Government Act 1993.

**RECOMMENDATION:**

That this report be received and noted.

## Reports from Director Environment & Community Services

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### REPORT:

The Agenda 21 concept emerged from the 1992 United Nations Conference on Environment and Development, held in Rio de Janeiro. Termed the Earth Summit, its primary focus was on the need to arrest environmental degradation and develop a shared commitment to strategies for preserving and enhancing the environment well into the 21<sup>st</sup> century.

During the preceding decades, consensus on international environmental management often faltered over the challenge of reconciling environmental goals with economic and social imperatives. In view of this, the Earth Summit explored progressive, realistic strategies which moved beyond the paradigm of continuously switching priorities to achieve and maintain a precarious balance. By the close of the Conference, several complementary strategies had been agreed. These were combined to produce a blueprint for the future, titled 'Agenda 21'.

A major outcome of the Earth Summit was a shared realisation that the resolution of conflicts between economic, environmental and social needs would be most effective at the local level. It is imperative to realise that economic and environmental factors are inter-related and that long term prosperity can only be achieved when these factors are not seen as being mutually exclusive.

'Because so many of the problems and solutions being addressed by Agenda 21 have their roots in local activities, the participation and cooperation of local authorities will be a determining factor in fulfilling its objectives. Local authorities construct, operate and maintain economic, social and environmental infrastructure, oversee planning processes, establish local environmental policies and regulations, and assist in implementing national and sub-national environmental policies. At the level of governance closest to the people, they play a vital role in educating, mobilising and responding to the public to promote sustainable development.' (Chapter 28, Agenda 21)

Accepting this as the most appropriate arena shifts attention to the necessity of formulating local action plans which integrate environmental improvement with economic development and social justice.

To date considerable environmental degradation has occurred and many of our past practices have resulted in serious environmental damage. There is a great need to rectify the problems inherited from past generations and ensure that the world we leave to our children and grandchildren is able to support the quality of life that they desire. It is our responsibility to ensure that satisfying the wants and needs of the current generation does not compromise the ability of future generations to satisfy their wants and needs.

Over the past 30 years there has been a growing awareness of global problems which have largely resulted from mis-management of the environment. Terms such as 'greenhouse gas emissions', 'ozone layer depletion', 'contaminated land', 'salinity intrusion', 'stressed rivers', 'global warming', natural resource depletion, 'el nino effect' etc, have become commonly used phrases worldwide. It is interesting to note that recently released C.S.I.R.O climate information has confirmed that average mean temperatures for Australia have constantly risen since the 1930's, and that the 1990's have been confirmed as the hottest decade on record.

## Reports from Director Environment & Community Services

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As a participant of the Earth Summit, Australia is deeply committed to the vision and processes espoused in Agenda 21. Agenda 21 provides a practical and conceptual framework to create and implement a program for achieving long term economic and environmental sustainability in the Tweed Shire area via following a series of steps.

A recent survey of nearly three hundred Local Government Authorities in Australia revealed that 25% of all councils responding to the survey confirmed that they now have a Local Agenda 21 Program. When combined with other approaches, like local conservation strategies and ecologically sustainable development plans, the total increased to 70%.

Worldwide there is a growing trend for all levels of government to adopt sustainable management practices. This was highlighted in President Clinton's new years message which concluded with a statement calling for all levels of government to look at sustainability and issues such as global warming as we enter into the 21<sup>st</sup> Century and highlighted this as a major challenge for the new millennium.

It should be noted that Tweed Shire's Agenda 21 Program, known as Sustaining the Tweed is a collaborative approach which involves the use of personnel and resources throughout the entire organisation. The majority of the programs being pursued by Council's Sustaining the Tweed Program will still require funding through Council's budget if funds are not made available through Council's Sustaining the Tweed Program.

Sustaining the Tweed is aimed at:

- Managing and improving Council's own environmental performance.
- Integrating sustainable development aims into Council's policies and activities - this requires a continuing cultural change within the organisation which can set an example for other organisations and the community at large to emulate.
- Awareness raising and education.
- Consulting and involving the general public
- Forming partnerships within Council and the community.
- Produce mechanisms for reporting, measuring and monitoring Council's environmental performance and integration of ESD into Council's management philosophy.

In order to be effective, Council's Sustaining the Tweed program recognises that the central features of the Program are:-

### **Consultative planning and involvement of all community sectors:**

In emphasising sustainability of the available local resources, Agenda 21 also recognises that long range success depends on the sustainability of the actual program devised. Unless the program addresses the needs of the whole community, its entire basis is flawed and subsequent conflicts are likely to impede or prevent its implementation.

## Reports from Director Environment & Community Services

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### **Integration of economic, social and environmental objectives and strategies:**

Local governments in Australia have a very creditable record in developing strategies which address environmental issues. Some of these have a short term focus. Even the long range plans rarely look more than a decade ahead. The emphasis on long term sustainability in Agenda 21 requires a more far-reaching perspective. Integration and balancing economic, social and environmental objectives is of paramount importance to ensure that the interests of all sectors of the community are considered.

### **Long term focus and a commitment to continuous improvement:**

Long term vision is vital when formulating a program aimed at widespread qualitative and quantitative improvement. Agenda 21 also stresses that the long term future is a succession of short term futures. This dual focus ensures that improvement will be realistic, incremental and continuous, without being piecemeal.

### **Cultural Change:**

In order to properly integrate ESD into any organisation or community a cultural change is required if permanent change is to be facilitated. It is recognised that education is a key component in bringing about this change. In order to precipitate change, staff, managers, and councillors must set an example for the community if sustainability is to become entrenched in the community's fabric. Council will need to act as a facilitator to encourage other stakeholders ie. Industry and business to adopt more sustainable practices. This is already occurring at a number of levels ie. Waste management, energy efficiency, water conservation etc. Sustainable practices need to be incorporated into every sector of the community.

### **Recognising the Global nature of Local Agenda 21:**

All local actions are linked and have an impact on the local area, the immediate region, the nation and indeed the globe. Recognising this, there are many opportunities to work cooperatively with others dealing with similar problems all over the world. Additionally we begin to understand the effects our decisions have on our neighbours and how we can minimise these negative effects.

In order to facilitate Council's Sustaining the Tweed program a set of objectives has been developed which broadly outlines the aims of this program. These aims are an integral part of the decision making program for fund allocation. The objectives are listed below:

#### ***Natural Environment***

Restore natural ecosystems

Improve our waterways

Minimise pollution of air, water, soil and noise

Protect the unique biodiversity of the Tweed

#### ***Resource Management***

Use resources wisely

Reduce energy use

## Reports from Director Environment & Community Services

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Reduce water use

Minimise waste and promote reuse schemes

### ***Community Development***

Manage development to ensure sustainability

Promote community awareness and understanding

Make our Shire a place where people want to live, work and play

Encourage walking, cycling & public transport

### ***Global Impacts***

Ensure local actions have minimal global impacts

Increase knowledge and understanding of developing technology

Balance social, economic and environmental factors

### ***Council Administration***

Managing and improving Council's own environmental performance

Integrating sustainability into Council activities and approval processes

Promoting community awareness and partnerships for action

### **Note**

**Ecological sustainable development:** Ecological Sustainable Development (ESD) is defined as; *“using, conserving and enhancing the communities resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased.”*

### **Major Sustaining the Tweed Initiatives:**

A summary of the initiatives currently being undertaken as part of Council's Sustaining the Tweed program are listed below:

### **Provenance recorded seed collection and propagation. :-**

Objective: Protect the unique biodiversity of the Tweed.

This work has been established for a number of years utilising a small selection of rare and endangered trees. Funds have been allocated to expand this work with an increased emphasis on SEPP 26/Coastal plant communities. Currently a seed bank has been established in conjunction with the necessary statutory recording requirements. Seed is being collected for special projects and propagated as required.

Outcome: Currently (**how many species have been propagated**) species are being propagated and used throughout the Shire to increase population numbers of endangered plant species.

## Reports from Director Environment & Community Services

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### **Cabarita Boardwalk Extension. :-**

Objective: To arrest environmental degradation and promote community awareness and understanding of environmental issues.

This is a community nominated program which will involve community participation. At present, erosion and site degradation is resulting at the site where the boardwalk terminates. An extension has been designed to help alleviate these problems. Currently Council is awaiting the outcome of a number of grant applications prior to commencing this work as most grants require Council to match funds on a dollar for dollar basis.

Outcome: This project will assist in mobilising the community to take affirmative action to arrest environmental degradation.

### **SEPP 26 Coastal Planting's:-**

Objective: To restore a natural eco-system and promote biodiversity.

This work is being undertaken by Dunecare with resources and education being provided as part of Council's Sustaining the Tweed program. This is an on-going program which is being jointly funded by Coastcare and the Catchment Management Committee. As the program progresses, the magnitude of funding can be decreased.

Outcome: Site rehabilitated to a more balanced state. Using volunteer labour to implement the objectives. This program also promotes community awareness and understanding of sustainable practices.

### **Stormwater Management Plan:-**

Objective: Minimise pollution and improve our waterways.

In 1998, the NSW State Government required that Council prepare a Stormwater Management Plan. The EPA provided \$15,000 in funding for this program which was required to be matched by Council funding. Stormwater management is one of the key components of Council's environmental management program, and as funds were not available from other council sources this program was financed via Council's Sustaining the Tweed program. Additional funding was provided in this years budget and further funding will be reviewed as part of Council's Sustaining the Tweed budgeting process.

Outcome: A stormwater management plan is being developed that will ultimately assist in minimising pollution and improving our waterways.

### **Contaminated Land - Inventory and Policy:-**

Objective: To minimise the potential for adverse social (including environmental and public health issues) and economic impacts as a result of contaminated land issues.



## Reports from Director Environment & Community Services

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Council's Sustaining the Tweed Program has funded a response to the EPA's 'Contaminated Land Planning Guidelines' for the control of contaminated land.

Outcome: This program will ultimately increase public awareness of contaminated land issues and decrease Council's potential for liability in respect to Part 7A of the *EP&A Act 1979*.

### **Air Quality Monitoring :-**

Objective: To increase knowledge and understanding of air quality within the Tweed.

Council resolved to become a participant in the Cities for Climate Protection Program in 1998. This project is aimed at reducing greenhouse gas emissions on a local level. Currently no modelling of air currents or basic air quality data has been collated for the Tweed Shire air shed. An initial monitoring program of major residential areas throughout Tweed is being facilitated. This baseline information will provide valuable information for future comparative analysis.

Outcome: Baseline data for future comparative analysis will be established for the Shire. This information will assist in identifying and planning for potential air quality problems within the Tweed.

### **Rezoning Kings Forest:-**

Objective: To protect the unique biodiversity of the land and manage development to ensure sustainability.

This site contains significant wetlands and other environmentally sensitive areas. Council's Sustaining the Tweed program has provided funding for the Strategic Planning Unit for the preparation of an LEP review, S.94 Plan and Development Control Plan for this area. This was carried out in conjunction with the owners of the site to facilitate the sustainable development of this area.

Outcome: It is anticipated that this funding will help secure the environment of this area and allow development to proceed whilst providing the best possible outcome for the Tweed community.

### **Eungella *Dipligottis* Rehabilitation:-**

Objective: To restore the natural ecosystem and promote biodiversity within the region.

Council's Sustaining the Tweed program is assisting in the education and supervision of work carried out on this site which contains the largest stand of *Dipligottis campbellii* (small leafed tamarind) in Australia. This work is required on an ongoing basis to eradicate weeds which currently infest the site. Without ongoing funding significant degradation will re-occur resulting in increased environmental problems.

Outcome: Significant steps have been taken to progressively rehabilitate the site and it is anticipated that the need for ongoing maintenance will greatly diminish as the natural ecosystem is restored.

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### **Roadside Rehabilitation:-**

Objective: To assist in pollution minimisation and increase reforestation along the major traffic corridors.

This a major rehabilitation/roadside weed eradication program for which Council is currently seeking National Heritage Trust funding. A plan to manage roadside vegetation and undertake rehabilitation work in critical areas throughout the Tweed has been developed by Council's Recreation Services and Works Department with work due to commence within the 1999/2000 financial year. This program will require ongoing funding over a number of years.

Outcome: This project will increase native vegetation and create habitat for flora and fauna. Thus promoting the Tweed as an environmentally significant area.

### **Knox Park Rehabilitation:-**

Objective: Minimise pollution, improve water quality, and make the Shire a place where people want to live, work and play.

Work has been carried out to harvest water weeds such as *Azola* sp. and *Hydrilla* sp. which have built up in the pond and to replant the central island with indigenous species. This area has been of a major concern to the community over a number of years and as funds to carry out this work have not been available via any other program, Council's Sustaining the Tweed Program has resourced this work.

Outcome: Harvesting on an annual basis has reduced the biomass of the water weeds and significantly improved the habitat and aesthetic value of this prominent community facility.

### **Pottsville Environment Park Rehabilitation**

Objective: To restore the natural ecosystem.

Habitat enhancement/revegetation of southern end of Pottsville Environment Park is required. Extensive tree planting and weed removal at the above mentioned site is to be pursued in order to protect and enhance this ecologically significant site from species such as *Camphor laurel*.

Outcome: This project will help to restore the natural ecosystems within the Pottsville Environmental Park.

### **Environmental Mentoring Program :-**

Objective: To promote awareness and understanding of sustainability. To improve Councils own environmental performance.

Council's Agenda 21 Co-ordinator and Human Resources Unit, in conjunction with Tubemakers Pty Ltd has undertaken a series of environmental training programs aimed at educating Council staff

## Reports from Director Environment & Community Services

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with respect to their legal obligations and the benefits associated with best practice environmental management. To date workshop sessions have been run for Council's sewer and water operators who are frequently required to work in acid sulphate soils, establish sediment and erosion controls and assist in emergency clean-up operations. These programs have been of great benefit in the education of Council staff and the promotion of sustainability.

Outcome: This program has educated Council staff of the importance of establishing and maintaining best environmental practice. The program has also raised awareness of legal obligations under various environmental statutes.

### **Methane Extraction :-**

Objective: To use resources wisely and promote reuse schemes.

Feasibility studies have been undertaken to determine the viability of utilising methane for generation of electricity from the Stotts Creek land fill site. Options for extraction are currently being pursued by Council's Waste Management Co-ordinator as this program will have both financial and environmental benefits for the Tweed.

Outcome: Methane extraction will produce sustainable energy and provide both financial (ie. Carbon credits, sale of green power) and environmental benefits for the community. Reductions in greenhouse gas emissions to assist in meeting reduction targets will also be a major outcome of this program.

### **Environmental Accounting :-**

Objective: Managing and improving Councils own environmental performance.

This is a new field of accounting aimed at calibrating Council's annual expenditure on the environment to provide a realistic value of Council's ongoing commitment to the environment. The final figures have also been used successfully to justify funding and grant applications.

Outcome: This program allows Council to take stock of expenditure used to protect, promote and restore the natural environment. This, like all accounting information provides a tangible measure of Council's ongoing commitment to the environment and provides justification for grant/funding applications.

### **Energy Smart Homes - DCP 39 :-**

Objective: To reduce energy use, manage development to ensure sustainability and promote community awareness and understanding of appropriate housing design.

Energy Smart Homes Policy - Development of a DCP and implementation of a strategy to ensure all homes are built to a 3<sup>1/2</sup> star standard. This will improve housing stock by ensuring that all new homes and extensions perform to a basic 3.5 star energy rating. This also benefits the general public as houses will be more comfortable and will cost less to run. SEDA are offering a \$500 point-of-

## Reports from Director Environment & Community Services

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sale rebate on nominated solar hot water systems installed within local government areas which have fully implemented the Energy Smart Homes Program.

Outcome: An energy smart homes policy has been produced and is due to be ratified by Council early in 2000. This policy will provide for improved housing stock within the Tweed and will promote housing which is more comfortable to live in, less costly to run and has benefits for the environment.

### **Smart House Project :-**

Objectives: To educate and mobilise the community to live more sustainably in a typical urban setting through the development and construction of an energy efficient/ environmentally friendly display home within a display village in the Tweed Shire area.

This home will be used to host a wide variety of expos and will cater for both existing home owners and new home buyers. This home will exhibit excellence in energy efficiency and sustainable living within a conventional urban setting. The home also incorporates a retrofit room which demonstrates energy efficient measures which can be incorporated into any existing home, an allergy sufferers room fitted out specifically for people with allergies, various energy and water conservation features, photovoltaic system, and a low maintenance permaculture garden. This house will showcase energy efficient and sustainable living techniques and technologies. The home is being constructed along with 20 other display homes.

This display home will act as a showcase for environmentally-friendly buildings and is expected to operate as a display home for 3-5 years.

It is anticipated that the Project will educate the general public and create a demand for housing which is appropriate for our climate ,energy efficient and environmentally friendly . It is also hoped that this initiative will:

1. Influence the building industry (in particular the domestic building market),
1. Influence the new housing market and,
1. Reach the wider community with the message of sustainability through hosting mini expos.

To date approximately \$70 000 worth of corporate sponsorship has been obtained for this project from over 30 sponsors wishing to be involved in this community leadership project.

It is worth noting that an energy efficient display village is currently being advertised in Brisbane and energy efficiency rating certificates are now a prerequisite when buying or selling a home in Canberra.

Outcome: Ultimately, it is hoped that this project will demonstrate to the public a new, more environmentally friendly way of living in the 21<sup>st</sup> Century. This project will also promote partnerships for future projects which Council will undertake in its endeavours to Sustain the Tweed.

## Reports from Director Environment & Community Services

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### **Environmental Education/Competition Community Education :-**

Objective: To promote community awareness of sustainability and involve the community in the management of the Tweed's environment.

In 1999 a community consultation program was facilitated utilising a competition to gain community input on how to manage our environment in the 21<sup>st</sup> Century. Over 2000 responses were received offering a myriad of ideas on initiatives that could be undertaken to improve our environmental management. These suggestions/ideas are now being incorporated into Council's draft Environmental Management Plan which will prioritise strategies/programs to be pursued as part of Council's Sustaining the Tweed program. It should be noted that 455 of those who responded indicated a willingness to become a volunteer in helping to sustain the Tweed.

Outcome: This exercise in participative democracy has involved over 2000 people whose input will assist in developing a management plan that will prosper future generations. It is also intended that the 455volunteers will perform a vital role in the ongoing education and mobilisation of the community towards a more sustainable future.

### **Environmental Education/CD ROM:-**

Objective: To provide a means of educating/promoting the 'Smart House' to both the local and global community. To eliminate the need for the distribution of approximately one million pamphlets which would otherwise be required for promotion/education purposes.

Clarity Communication are in the process of developing a CD ROM which will provide information and a 3D walk-through of the Smart House Project. This initiative will reduce the need for pamphlets within the House and will allow this project to be viewed by the global community.

Outcome: The CD ROM will provide information to visitors of the 'Smart House' and it is estimated that it will fulfil the role of one full time information officer at the home. This will reduce the need for multiple staff during peak periods. This CD ROM will also allow persons remote to the Tweed Shire to have a 3 dimensional walk through of the house and obtain all relevant information on this project.

### **Sustaining the Tweed Promotion :-**

Objective: To promote awareness and understanding of sustainability to the local and global community.

Numerous TV, radio, newspaper and internet coverage are involved in raising community awareness and educating the public on issues concerning sustainability. Addresses to community groups and schools are also facilitated on a regular basis. Other notable initiatives include presentations at various workshops, conferences and seminars.

## Reports from Director Environment & Community Services

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Outcome: Council's Sustaining the Tweed program has been widely promoted and is now receiving recognition as a leader in the field of sustainable practices throughout Australia.

### **State of the Environment Reporting :-**

Objective: To fulfil statutory obligations and provide a community resource that monitors the state of the environment and provide a management tool to help preserve, restore and enhance our environment.

SOE reporting is a statutory requirement facilitated via councils Sustaining the Tweed program . A soft ware package has been developed by Council's Local Agenda 21 Coordinator in conjunction with administrative assistance. This soft ware will be marketed and sold to other Local Government throughout Australia. With 178 local governments in NSW alone, all of whom are required by legislation to produce an annual State of the Environment Report, it is anticipated that this software package will provide a new income source for Council.

Outcome: SOE reporting is conducted on an annual basis. Copies are available via Council's website or in hardcopy upon request. The SOE soft ware was trialed in 1998 and 1999 and is now nearing completion.

### **Regional Sustainability Indicators :-**

Objective: To provide a means of monitoring progress towards sustainability at a regional level.

A set of regional indicators has been developed. Council's Local Agenda 21 Coordinator was one of only 2 Local Government representatives on the steering committee. Indicators are a way of seeing the "big picture" by looking at smaller pieces of information. Each indicator measures an important dimension of sustainability.

The types of issues covered by sustainability indicators (SI) can include issues of energy and resource use, pollution indices, economic and social indices. This work is ongoing.

Outcome: A set of 22 regional indicators has been developed which will be incorporated into all local State of the Environment reports. These indicators will help monitor progress towards sustainability on a regional basis.

### **Cities for Climate Protection :-**

Objective: To think globally and act locally in the minimisation of greenhouse gases.

This program provides software which can be used to audit greenhouse gas emissions resulting from both corporate and community activities. From this a Local Action Plan is developed along with strategies to reduce emissions at a local level. An inventory has been established of Tweed's greenhouse emissions which has revealed that the residential sector is the primary source of greenhouse gases within the Tweed Shire Council area. A number of programs are now underway to assist in the mitigation/minimisation of greenhouse gas emissions and it is anticipated that Tweed

## Reports from Director Environment & Community Services

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Shire Council will establish emissions reduction targets and measures within the next twelve months.

Outcome: To date a preliminary audit has been undertaken to establish a corporate and community profile of greenhouse gas emissions. A number of reduction measures are now in place and a comprehensive Local Action Plan will be established within the next 12 months along with reduction targets.

### **Green Energy Team :-**

Objective: To reduce energy consumption, use resources wisely and improve Council's own environmental and financial performance.

Council has over 300 different electricity accounts covering a wide variety of facilities. In 1999 an audit of the Murwillumbah Civic Centres lighting system revealed that a 65% saving on lighting costs could be achieved via a retrofit of this one facility. A great deal more work is required if Council is to :-

- \* Produce further savings are to be pursued from the 300 odd sites for which council currently pays electricity accounts.
- \* Develop a system to ensure that all new amenities are energy efficient and make best use of alternative technologies
- \* Implementing energy conservation strategies for the Tweed Shire Council and specifically targeting areas for energy savings.
- \* Facilitate retrofits and provide examples to act as a model for other industries.
- \* Develop economic opportunities to promote renewable energy.
- \* Develop an energy efficiency policy for Tweed Shire Council.
- \* Seek and procure Government Grants and sponsorships for the development of renewable energy initiatives.
- \* Lead by example and curb the current trend which is seeing electricity usage growing at almost twice population growth in the Tweed Shire area.

This program has been facilitated as part of Council's Sustaining the Tweed program and is a major initiative aimed at reducing Greenhouse gas emissions .

Outcome: Council has utilised the Australian Municipal Energy Improvement Facility (AMIEF) to conduct an audit at the Murwillumbah civic Centre. This audit revealed that a 65% reduction on energy/maintenance costs can be achieved via a retrofit with a 3.7 year payback period on the capital costs. A trial of the new lighting system has been undertaken and it currently being monitored. The full retrofit will be facilitated prior to the end of the current financial year. An audit of the Tweed Heads Civic Centre has also been undertaken and structures established to utilise savings made as a

## Reports from Director Environment & Community Services

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result of this program for further energy saving initiatives. Work will be carried out on the Tweed Heads Civic Centre late in 2000; funds permitting.

### **Internet Site Development:-**

Objective: To educate the community and reduce paper usage and staff time.

The State of the Environment and various Local Agenda 21 materials along with information on what the community can do and what Council is doing to sustain the Tweed is available via Council's website. This is a vital community education tool which will become increasingly available to both business and householders.

Outcome: Since the development of the internet site a significant reduction in demand for hard copies of the SOE report and related Sustaining the Tweed literature has occurred. This has also resulted in a reduction of time and money spent in distributing literature to the community.

### **Environmental Management Plan:-**

Objective: To formulate a well structured, sustainable environmental management strategy for the next 25 to 30 years.

Council has interviewed key personnel throughout the organisation and established a draft Environmental Management Plan which comprises over 530 initiatives, half of which have already been initiated . An action research program is being undertaken with the Institute of Sustainable Futures (a subsidiary of Sydney Institute of Technology) to formulate a long term environmental management strategy for Council and the community. A further 2,000 responses have been received from the community on how Tweed Shire can become more sustainable. These need to be compiled into an operational document to shape our environmental management for the next 25 to 30 years.

Outcome: An action research program has commenced to refine the draft EMP and incorporate the 2000 responses obtained from Council's Sustaining the Tweed Community Consultation Program. This program will establish a structured framework for the long term operation of Council's Sustaining the Tweed program with expected economic and environmental benefits.

### **Environmental Auditing Process:-**

Objective: To establish a process to manage and improve all of Council's own impacts on the environment, and decrease potential legal liability.

A review to identify and prioritise all areas of concern has been undertaken by Council. This process is required if Council is to "lead by example" and ensure Council's activities comply with internationally recognised environmental standards. The implementation of such a process will increase accountability and decrease risk management. This work is primarily being facilitated by Council's Waste Management Co-ordinator and is being jointly funded by the Waste Management and Sustaining the Tweed Program. This is a critical initiative aimed at ensuring that best environmental management techniques are employed by Council to negate possible legal liability.



## Reports from Director Environment & Community Services

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Outcome: A preliminary hazards analysis has been carried out on Council's major facilities and some work has been carried out to negate possible environmental hazards resulting from Council's operations.

### **ADDITIONAL PROJECTS FOR CONSIDERATION IN 2000**

In addition to expanding or continuing some of the current projects the following are projects which may be considered for the 2000/2001 program.

- **Green Energy Team:-** As previously stated, Council has over 300 separate electricity accounts, many of which are capable of being reduced and producing further savings for Council. This work needs to be expanded if Council is to make best use of its facilities and reduce its liabilities asset an example in best practice asset management and contribute to greenhouse gas reduction.
- **Sustaining the Tweed Volunteers:-** The recent Sustaining the Tweed community consultation program identified over 450 people willing to become involved in the Sustaining the Tweed initiative. Information brochures and special events such as the 21<sup>st</sup> Century Forums and opening of the Smart House could be utilised to help educate and involve these volunteers in a series of sustainability programs.
- **Fishmeal Production:-** Currently there is no domestic production of fishmeal and large quantities of fish bi-products are disposed of at Council's Stotts Creek Waste Depot between April and June each year .Councils sewerage treatment ponds could also be utilised to grow Mullet /Silver Perch to enhance the production of fishmeal. A feasibility study is required to evaluate the viability of this proposal which has numerous environmental benefits and could prove to be economically beneficial also. This work could possibly be facilitated as a Sustaining the Tweed venture with adjoining councils if the scale proves non-viable in Tweed.
- **Community Climate Protection:-** The most pressing environmental issue for the new millennium is global warming. Currently council is part of the Cities for Climate Program which has a dual corporate and community focus. In order to make this program more than a council issue a strategy needs to be formulated in conjunction with the community.

A number of other local government authorities have now developed such strategies and are currently working with the industry and business to proactively reduce greenhouse emissions and establish cleaner production practices. Tweed Shire Council has already completed Milestone 1 of the Cities for Climate Protection program, and has completed an audit of greenhouse gases produced locally. The second and third milestones involve setting targets for reducing greenhouse emissions and producing a local action plan to meet these targets. In order to obtain community ownership and wider involvement in this major sustainability initiative the Council needs to work closely with the community and obtain consensus on the local action plan . It is proposed that a working group be established to oversee this initiative, pursue additional projects, obtain grants, funding, consult and assist industry to play a major role in greenhouse gas reduction.

## Reports from Director Environment & Community Services

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- **Environmental Management Plan Implementation:-** as Council implements its Environmental Management Plan each unit within council will be required to undertake two new sustainability initiatives each year. Many of these initiatives require no additional funding, however, some initiatives do require additional funding which cannot be facilitated from existing budgets. (ie. Knox Park rehabilitation, seed propagation activities, roadside vegetation management, green energy initiatives etc). Co-ordinating these initiatives and facilitating budgets is an ongoing part of Council's Sustaining the Tweed program.
- **Mini Expos:-** A range of mini expos will be held at the Smart House (as part of Council's ongoing commitment to sponsors. These will be undertaken to encourage the general public to visit this facility and increase understanding of various sustainability issues. Initially expos will focus on energy efficient housing, alternative building practices, endangered species of the Tweed, Permaculture, our environmental future etc. These expos will require the formation of partnerships with various stakeholders and some ongoing funding to provide resources.
- **Mentoring Program:-** Two in-house mentoring programs have been conducted by Tubemakers in conjunction with Council's Sustaining the Tweed program . This program needs to be expanded and a similar program needs to be developed and integrated into the employee induction program. The program is aimed at raising awareness of sustainability issues and informing council staff of legal liability issues under various environmental legislation.
- **Sustainable Students Program:-** To date a number of education programs have been conducted at various schools throughout the Tweed . Programs to educate and involve students in sustainability are seen as an integral part of shaping a different future. Kits for distribution in the Smart House will also need to be developed for school tours. Murwillumbah High School has also expressed a desire to establish sustainability projects which students could participate in as part of their environmental studies.
- **Household Eco-Teams :-** This program involves a series of seven training sessions held in private residences to show how householders can save money and help the environment at the same time. Selected streets are targeted and participants are invited to attend the sessions in a nominated house. This program has had a great deal of success in the U.S.A and has greatly assisted in establishing community spirit and identity. Statistics have shown that if 15 percent of the population partake in the program the ideas and philosophies multiply to reach the entire community and establish new community practice.
- **'Weeds of the Tweed' Brochure:-** An application for financing a 'Weeds of the Tweed' brochure has been received for Council's Sustaining the Tweed Committee. A draft of the pamphlet and information relating to its distribution is currently being sort prior to further consideration.

## Reports from Director Environment & Community Services

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- **21<sup>st</sup> Century Forum:-** At this stage it is proposed to run a number of information nights primarily with the Sustaining the Tweed Volunteers on the significance of the Tweed Valley and what can be done to help create a more sustainable Tweed for future generations . Guest speakers/experts would be utilised to assist in the presentations which will perform a vital role in the ongoing education and mobilisation of the community towards a more sustainable future.
- **Rous River Landcare Camphor program :-** An application from Rous River Landcare Inc has been received for funding to remove six Camphor laurel trees from the northern bank of the Rous River next to the Chillingham Bridge and to formulate a Camphor laurel management plan for the Tweed.
- **Artificial Bat Box Monitoring :-** Funding to complete a monitoring program of artificial bat boxes at Koala Beach to determine if these compensatory habitat play a significant role in the conservation of these endangered species.
- **Litter Strategy :-** Preliminary planning for a comprehensive litter strategy is needed to promote litter reduction of our roadways and beach areas is required to enhance the work being carried out by Clean Up Australia Day and Ocean Day. Establishing Tweed as a clean environment will also assist development of community.
- **LPG Trial:-** Council is a major consumer of petrol and distillate fuel in the shire. In the 97/98 financial year over 840 000 litres of fuel were consumed by council vehicles. Currently the Federal Government, through the Australian Greenhouse Office is offering incentives for corporations to convert to cleaner fuels and providing subsidies on a range of vehicles. Previously, Councils Sustaining the Tweed Committee has looked at the possibility of trialing LPG as an alternative fuel source for commuter vehicles, however to date, no firm decision has been made as to when such a trial should be undertaken. Given the current subsidies on offer, the pursuit of an LPG trial on Council's 2.5 tonne vehicles needs to be investigated for inclusion in the upcoming budget deliberations.
- **Cycleways:-** The Sustaining the Tweed Committee may wish to place greater resources into the Shire Cycleway network. This has environmental benefits by reducing vehicle trips and has the added benefits of encouraging a healthy lifestyle and safety.

The work being carried out by Council's Sustaining the Tweed program is imperative if Council is to fulfil its statutory obligations in a proactive manner and ensures that the world we leave to our children and grand-children is in the same or better order than the world in which we now live.

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## Reports from Director Environment & Community Services

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**20. ORIGIN: Environment & Health Services Unit**

**FILE REF: Noxious - Insects & Pests**

**REPORT TITLE:**

**Entomological Report - November 1999 to January 2000**

**SUMMARY OF REPORT:**

The following report outlines nuisance insect/vermin control and research carried out November 1999 to January 2000.

**RECOMMENDATION:**

That this report be received and noted.

# Reports from Director Environment & Community Services

## REPORT:

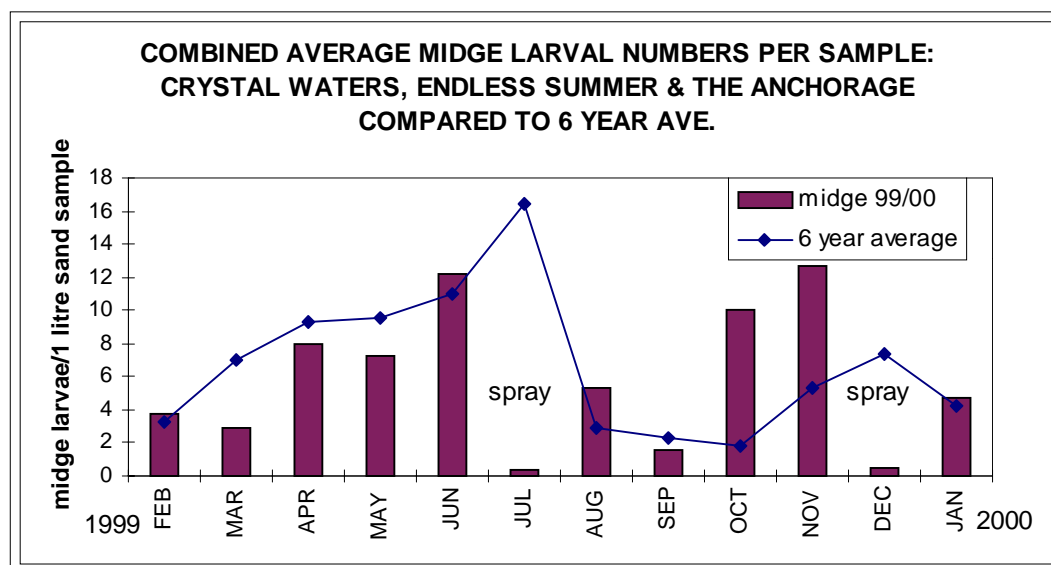
### BITING MIDGE

#### *Seasonal activity*

There were 8 biting midge related inquiry/complaints from residents over the report period. Most complaints were due to the midge species *Culicoides molestus* affecting East Banora Point and *C. subimmaculatus* affecting the Boyds Bay area.

Canal breeding midges have not appeared to be a nuisance since December canal spray treatments.

Canal breeding midge larval numbers monitored throughout the season in the major canals are expressed below compared to long term averages.



Entomological Officer presented a paper on Tweed biting midge control and research at a biting midge forum sponsored by Hervey Bay Council 14 January. The forum was well attended by representatives from QLD local and state government, industry, private researchers, conservationists and concerned locals. The forum attracted a lot of local media attention due to controversy over biting midge control options for Hervey Bay.

#### **Control**

Treatment with larvicide of all midge affected canals, by boat mounted boom spray, was carried out during December. Pre and post spray results at the larger canals follow. Larval numbers are expressed as larvae per 1 litre sand sample. Excellent control was achieved at all sites.

SITE	PRE SPRAY	POST SPRAY
CRYSTAL WATERS	11.6	1.0
ENDLESS SUMMER	12.0	0.3
OXLEY COVE	10.0	0.8
THE ANCHORAGE	14.6	0.1
TWEED WATERS	8.2	0.2
CONTROL (UNSPRAYED)	3.2	5.0

# Reports from Director Environment & Community Services

## MOSQUITOES

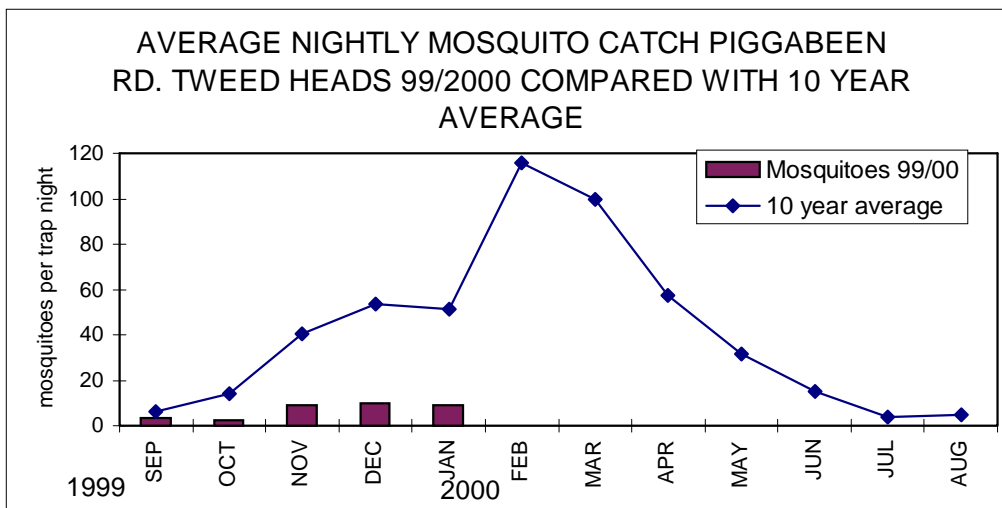
### Seasonal activity

Mosquito activity was extremely low over the report period with only 5 mosquito related inquiry/complaints.

As was the case in the previous two report periods, frequent rainfall caused regular flooding of Tweed coastal lowlands. The frequent flooding maintained natural mosquito control processes with large numbers of fish and aquatic invertebrates keeping mosquito larval numbers low at most times. Several large tides also flooded coastal wetlands but failed to trigger substantial saltmarsh mosquito hatches.

Carbon dioxide baited mosquito traps at Tweed Heads West and Terranora recorded low mosquito numbers throughout the report period. The domestic container breeding mosquito *Aedes notoscriptus* was the most common species caught.

The following graph depicts average nightly mosquito catches at West Tweed Heads this season compared to long term averages.



### Control

Saltmarsh mosquito control, utilising biological larvicides, was limited to small pockets of breeding around Cobaki, Terranora, Chinderah and Cudgen.

Minor maintenance was carried out to “runnel” systems which help control mosquitoes in the Cobaki area.

### Arbovirus

Arbovirus activity has been low, with 2 cases of Ross River virus infection notified within the Shire over the report period.

## MISCELLANEOUS PESTS

Rodent control was carried out around riverside harbourages and rock walls at Tweed Heads and adjacent to coastal caravan parks.

## Reports from Director Environment & Community Services

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Cockroach control was carried out in a small number of infested sewer lines.

General pest inquiry numbers were very low over the report period with 60 requests for information and identifications. Principal pests were spiders and coastal brown ants.

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## Reports from Director Environment & Community Services

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**21. ORIGIN: Environment & Health Services Unit**

**FILE REF: Surf Lifesaving**

**REPORT TITLE:**

**Fatality - Durambah Beach**

**SUMMARY OF REPORT:**

This report outlines the circumstances associated with the above incident.

**RECOMMENDATION:**

That this report be received and noted.



## Reports from Director Environment & Community Services

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### REPORT:

Council is aware a drowning occurred at Durambah Beach 16 January 2000. Surf Life Saving New South Wales who contract the Christmas lifeguard service have provided the following information regarding the incident:

*“At approximately 4.05pm Sunday 16 January 2000, three people entered the surf via the rocks at the location known as Lovers Rock.*

*At that time the lifeguard was positioned on the beach in front of the VMR building. The lifeguard was advised by the crewperson from the VMR inflatable rescue boat which was refuelling for training that people were in trouble at Lovers Rock.*

*The lifeguard on duty could not readily identify any people in the water until he was approximately 40 to 50 metres away from their location. The lifeguard observed one person in trouble and attended to that person and was advised that there was a further person who was believed to be submerged. The VMR inflatable boat arrived on the scene and the patient was transferred to the boat and the lifeguard continued a search of the area.*

*The local Police were notified and assumed control of the situation and requested the assistance of SLS Queensland’s Jet Rescue Boat and Lifesaver helicopter. The search continued until 5.45pm.*

*Under advice from rescue agencies, it is certain that from the 3 people’s point of entry via the rocks, there is no way the lifeguard could have seen them to prevent the drowning.”*

As can be seen from the above, the persons involved entered the surf from rocks well to the northern end of the beach.

Council is currently investigating the possibility of signs as a form of remote supervision and this incident will be part of that investigation.

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## Reports from Director Environment & Community Services

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**21a. ORIGIN: Director**

**FILE REF: Kingscliff Library**

**REPORT TITLE:**

**Kingscliff Library - Perspective**

**SUMMARY OF REPORT:**

The architectural perspective artist responsible for providing the “perspective” for presentation to Council for the Kingscliff Library has been advised that the perspective of the building designed by Futon Trotter Moss, Architects, for the Kingscliff Library has been chosen for an Award of Excellence and inclusion in the American Society of Architectural Perspectives’ fifteenth Annual Travelling Exhibition.

**RECOMMENDATION:**

That Council sends a letter of congratulations to Jane Grealy of Jane Grealy and Associates for her success in being honoured by having the perspective of the Kingscliff Library included in the Fifteenth Annual Travelling Exhibition of the American Society of Architectural Perspectives

## Reports from Director Environment & Community Services

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### REPORT:

The architectural perspective artist responsible for providing the “perspective” for presentation to Council for the Kingscliff Library has been advised that the perspective of the building designed by Futon Trotter Moss, Architects, for the Kingscliff Library has been chosen for an Award of Excellence and inclusion in the American Society of Architectural Perspectives’ fifteenth Annual Travelling Exhibition.

The awards are made by the American Society of Architectural Perspectives and was judged by a panel of three (3) renowned architects and illustrators.

It is understood that this award is one of two chosen from Australia to be part of the exhibition of about 50 perspectives.

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**Mr I Carpenter**  
Acting General Manager



# Reports from Sub-Committees

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## 1. Minutes of the Centenary of Federation Committee Meeting held 9 December, 1999

File No: GC7/22

**VENUE:**

Tumbulgum

**TIME:**

3.30pm

**PRESENT:**

Cr Max Boyd, Cr Wendy Marshall, Terry Cleal, Carmel Harris, Ken McDonald, Mary Lee Connery, Sandra Flannery, Bernadette Kelly, Lesley Buckley

**APOLOGIES:**

Cr B Carroll

**MINUTES OF PREVIOUS MEETING:**

**Moved:** Mary Lee Connery

**Seconded:** Carmel Harris

**RESOLVED** that the last meeting held 10 November, 1999 be accepted as a true and accurate record of the proceedings of that meeting.

**BUSINESS ARISING:**

### 1. Welcome

All new members were welcomed. Cr Wendy Marshall and Cr Max Boyd were also welcomed as the Council representatives. Cr Barbara Carroll is also a Council representative, however, she was unable to attend.

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### 2. Banner Project

Carmel Harris advised that the Rain Forest Week Committee meeting would not be held until next week and will report back to the Committee.

## Reports from Sub-Committees

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The application will be resubmitted to Festivals Australia in February 2000.

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### 3. State of the Arts 2000 - Regional Arts Forum

Lesley Buckley advised that project partners would meet next week to develop program and format. Project partners include: Council, Tweed Arts Network and Tweed Valley Arts Council.

The Committee is to be advised of the scheduled date for the State of the Arts 2000 - Regional Arts Forum and will be kept informed as to progress.

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### 4. Centenary of Federation Regional Parade Participation Program

#### Civic Functions

Lesley Buckley advised the Committee that:

- John Carrigan, NSW Regional Co-ordinator for the Regional Parade Project has left and the position will not be filled until early next year.
- Council has still not received a formal Letter of Agreement, although the NSW Centenary of Federation Committee has advised Council that formal agreements with all NSW Councils and Regional Arts Development Officers will not be forthcoming until the New Year.
- The NSW Committee has not been forthcoming with an accurate database of all those who participated in the October forum, although the original RSVP list has been made available.
- A letter to all Far North Coast Councils has been drafted, asking that they support and promote the project through their own networks. A proforma for nomination of theme will also be enclosed and Councils will be asked to circulate and return the information.
- Letters and proforma for nominating a theme will also be sent to all October seminar participants.
- Carmel Harris and Terry Cleal nominated for Regional Parade Working Group, with Sandra Flannery as a reserve.

The Committee discussed strategies for formalising a Regional Working Party. It was decided that all local government authorities in our region should be asked not only to support the project but also to nominate two representatives from their shires.

## Reports from Sub-Committees

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**MOVED: Ken McDonald SECONDED: Sandra Flannery**

### RECOMMENDATION:

That all Councils within the Far North Coast Region nominate two representatives to the Centenary of Federation Regional Parade Participation Program's Regional Working Group.

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### 5. Media

#### Daily News.

Mary Lee reported that:

- She has yet to liaise with the Daily News re potential contacts but has begun research.
- The Brunswick Advocate dated 3 January, 1901 gives a profile on local events and also gives a report on the Sydney Parade, political and social statements of the day.
- She wishes to raise awareness in Centenary of Federation and will begin to feed information to the Daily News to coincide with Australia Day 2000.

#### The Link

Lesley Buckley reported that she had been advised by Marilyn Smith, the Editor, that she would be more than happy to print COF information, either educational or event information.

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### 6. Cook Book Project

Sandra Flannery reported that she has begun work on the book and will continue to liaise with Tony King.

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### 7. River Festival

Terry Cleal reported that:

- Paul Chapman is the President of Tumbulgum Progress Association.
  - Paul has advised that all local stakeholders such as shops, hotels and residents feeds through the Association.
  - Paul was also very interested in the proposed River Project and would like to attend the first meeting in the New Year.
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## Reports from Sub-Committees

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### 8. Youth Involvement

Lesley Buckley reported:

- She has liaised with Simon regarding the Bamboo raft/bathtub derby event and he will come to our next meeting to discuss the proposal.
  - Simon believed it would be an excellent vehicle for youth involvement.
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### 9. Non Attending Committee Members

The Terms of Reference state that a member must be present for at least 50% of meetings. The 2 seats held by Rose Wright and Gervase Griffiths should be considered vacant and made available to community representatives who wish to nominate.

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### 10. List of Network

Committee was asked to complete in due course.

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### GENERAL BUSINESS:

### 11. Calendar of Events

The Committee discussed the need to contact shire-wide event organisers and committees to encourage a Centenary theme for our existing festivals in 2000 and 2001 and to confirm scheduled dates.

The Committee also needs to promote the NSW Centenary of Federation . Lesley Buckley to draft a letter.

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### 12. Race Day

Still to be formalised - Bernadette has been advised to contact Bernie Quinn in January.

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## Reports from Sub-Committees

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### 13. Country Halls Project

Bernadette advised that she has made headway and has been to see many schools. Bernadette would also like to develop an "Empire Day" type event with sports carnival followed by a country hall concert and dance.

The Committee's role will be to tag it as a Centenary of Federation event and get it onto the net. Terry Cleal has a contact at the District Office who will be able to get information into the schools.

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### 14. Fund Raising

The Daily News published an 1823-1923 supplement. This could be a good avenue for the Committee to raise funds.

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### 15. Project Proposal

Steve Dale from the Cabarita Surf Life Saving Club addressed the Committee on ideas for a Centenary Project. The basic proposal is two-fold.

#### Component 1

Develop and produce a community inclusive ceremonial event that focuses on the ceremonial transfer/relay of all our Australian State flags from the sea to the tip of Mt Warning using the skills and services of our volunteer and emergency organisations as well as community groups.

#### Component 2

In line with component 1, develop and produce a 10-15 minute documentary, which follows and documents the relay/transfer route of the flags, thus showcasing the Tweed's unique features and Tourist facilities.

#### Ensuing discussions:

Need to establish the project's main objective, the ceremonial event or the production of a video.

Steve's initial concept was that the Surf Life Saving, Volunteer and Emergency organisations would play a major role but following the NSW Centenary of Federations regional seminar it has become evident that many other community organisations would like to be involved.

Steve has spoken with some of the rescue organisations who are willing to support the project.

## Reports from Sub-Committees

He has also spoken with a professional film producer and has been advised that it will need a strong budget and it may be best to seek commercial assistance, perhaps the Nine network. Perhaps the State Centenary of Federation Committee would also be interested in using it as footage.

“Australia Story” may also be interested.

A joint team of Film and Television students from tertiary institutions such as Griffith Uni, Southern Cross Uni, Bond Uni, Miami High, North Coast CAMERA, may also be interested.

Tom Senti should be contacted for marketing advice.

Steve will fine tune the proposal and attend the next scheduled meeting.

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**NEXT MEETING: TUMBULGUM HOTEL ON THURSDAY 10 FEBRUARY, 2000 AT 3.45**

<p><i>Director's Comments:</i> :That Council adopts the recommendation under Item 4.</p>
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## Reports from Sub-Committees

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### 2. Minutes of the Companion Animal Committee Meeting held Monday, 10 January 2000

GA 7/4/4 Pt 1

**VENUE:**

Rouse Room

**TIME:**

Commencing 8.00am.

**PRESENT:**

Committee Members: Len Greer (Chairperson), Clr Wendy Marshall, Peter Ainsworth, Terry Lintern, Ronni Hoskisson, Jeremy Cornford, Rob Philp, Audrey Rennison, and Alma McAllister.

**APOLOGIES:**

Christie Walker

**AGENDA ITEMS:**

#### 1. Minutes of the Previous Meeting

GA7/4/4 Pt 1

The minutes of the meeting of 6 December 1999 were adopted without amendment.

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#### 2. Practicality of the Act

GA7/4/4 Pt 1

A letter of response from the Local Government and Shires Association regarding this matter was read to Committee.

Peter Ainsworth also advised Committee that draft amendments to the Act have apparently been prepared for the Minister's consideration, but have yet to be adopted.

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#### 3. Pound Operation

GA7/4/4 Pt 1

Len Greer suggested that maybe the Pound should remain under Council control and only the re-sale of animals be privatised. Councillor Marshall stated that she was not certain that this would work soundly.

Peter Ainsworth advised Committee that expressions of interest to manage the Pound, or provide an alternative facility under private management have been called for.

## Reports from Sub-Committees

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### 4. Off Leash Exercise Areas

GA7/4/4 Pt 1

Lengthy discussions were held regarding dog off leash exercise areas. The following points were made:

- Councillor Marshall noted that Council had stated that the new beach off leash areas would be reviewed in 12 months time.
- Councillor Marshall noted that she had received a number of pieces of correspondence and phone calls regarding off leash areas. This feedback has been 50% positive and 50% against these areas.
- It was noted that signs are yet to be erected for the new beach off leash areas.
- Councillor Marshall requested that some advertisement be placed in the Link regarding the need for dog owners to collect their animals faeces in all public places.
- Ronni Hoskisson suggested that Durambah Beach and the Old Border Caravan Park site be considered for off leash dog exercise. Officers have been requested to develop several suggested park and reserve areas for Banora Point, Terranora, Bilambil, Tweed Heads, Tweed Heads West and Chinderah. This matter to be considered further at the next meeting.

The six month trial period for both the South Kingscliff Beach and Boyds Family Park off leash areas expired at the end of December 1999. As neither of these areas have generated any major complaints or concerns Committee recommends that these two off leash areas continue to operate.

### RECOMMENDATION:

That as the following two dog off leash exercise areas have been trialed for six months and have not generated any significant complaints or incidents that they be approved to continue to operate as off leash exercise areas:-

1. South Kingscliff Beach - for 2km south of the Council access near Cudgen Creek Bridge.
2. Boyds Family Park West Tweed Heads.

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### 5. Door Knock

GA7/4/4 Pt 1

Len Greer requested that Committee be advised of the outcome of door knocks in future, particularly the numbers of unregistered dogs identified.

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## Reports from Sub-Committees

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### 6. Feral Cats

**GA7/4/4 Pt 1**

Len Greer advised that feral cats have been placed on the preliminary list of 'threatening species'.

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### 7. Membership

**GA7/4/4 Pt 1**

It was decided that a replacement Committee member for Katie Campbell would not be sought, however a representative from the RSPCA would continue to be sought.

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## GENERAL BUSINESS

### 8. General Discussions

**GA7/4/4 Pt 1**

Len Greer read out the adopted Mission Statement as a reminder of the general goals of Committee. A broad discussion was had regarding implementation of the Act, compliance and registration of animals.

It was suggested that financial incentives are needed to encourage registration, and there has been a focus on penalties rather than rewards.

Current use of the new Ranger was questioned. This position was created with companion animal funding and achievement of companion animal goals should remain the focus.

Audrey Rennison stated that education of children regarding safety aspects of companion animals handling should be addressed.

It was agreed that both cat control issues and available budget/resources relevant to implementation of core issues would be placed on the next Agenda.

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### NEXT MEETING:

Monday 7 February 2000

The meeting closed at 9.50 am.

### *Director's Comments:*

That Council adopts the recommendation under Item 4.

## Reports from Sub-Committees

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### 3. Minutes of the Tweed Dune Care Advisory Committee Meeting held 13 January 2000

GB4/1/2

**VENUE:**

Pottsville Environment Centre

**TIME:**

5.15PM

**PRESENT:**

**Committee Members:** Cr Henry James, (TSC), Mr John Gillieatt (Fingal), Ms Kate McKenzie (Landcare Coordinator), Mr Ian Anderson (Kingscliff North), Mr Tom Kelly (Kingscliff), Mr Len Greer, Ms Liz Turrell (Cabarita), Mr Stewart Brawley and Mr Rodney Keevers (TSC)

**Informal:** Mrs Blyth Short (Recorder), Ms Rhonda James

**APOLOGIES:**

Cr Max Boyd

**MINUTES OF PREVIOUS MEETING:**

Correction of minutes: Spelling of Craig Venner and Holey Belt.

**Moved:** Kate Mc Kenzie

**Seconded:** Rodney Keevers

**RESOLVED** that the Minutes of Meeting held 17 November 1999 be accepted as a true and accurate record of the proceedings of that meeting.

**BUSINESS ARISING:**

#### 1. SEPP26 Workshop

Stewart Brawley advised that the workshop held on 22 November 1999 at 9.00am at the Pottsville Environment Centre was successful. The third workshop will be held in two months, date to be advised. Workshops are funded from 1998/99 Coast Care Grant.

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#### 2. Kingscliff Dune Care Plans

Presented in general business.

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## Reports from Sub-Committees

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### 3. Pipe at Fingal Quarry

Rodney Keevers advised that the pipe was installed at the end of November 1999.

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### 4. By Pass Planting Areas, Fingal turn-off

RTA advise the land will be managed by National Parks and Wildlife Services. General discussion took place over Aboriginal Land Claim and drainage of McKissock Drive.

Kate Mc Kenzie suggested that a letter could be written to RTA about the problem with weeds encroaching onto native bushland from road reserve, particularly *Ipomoea species*. Stewart Brawley to write to RTA highlighting the problem and requesting action.

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### 5. Fingal Nursery Benches

John Gillieatt advised that the work was completed.

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### 6. Duranbah Beach Works

No work is being carried out at the moment. Waiting for the Work for the Dole Program to recommence.

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### 7. Coast Care Trailer

Stewart Brawley advised that the groups need to gather the necessary information for next year if the same trailer becomes available again. Stewart Brawley to provide relative information at next meeting.

After general discussion it was decided that the trailer could be housed at Liz Turrells lock up garage due to this location being central to all groups.

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### 8. SEPP26 Area Hastings Point

**SEPP 26**

Signage was not completed prior to Christmas due to difficulties liaising on appropriate wording. Issues were raised regarding rubbish dumping at this site. General discussion took

## Reports from Sub-Committees

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place on the extent of dumping of rubbish and garden refuse in bushland areas and the associated issues such as the invasion of these areas by “garden escapees.”

**Moved:**            **Kate Mc Kenzie**  
**Seconded:**      **Liz Turrell**

### **RECOMMENDATION:**

That:

An article be published in the Tweed Link about the illegal dumping of rubbish, fines and the associated problem with environmental weeds within the Shire.

Council considers producing educational/information brochures on “Being a bushland neighbor” in the 1999/2000 sustain the Tweed program.

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### **9. Holey Belt**

Rodney Keevers advised that the holey belt is being trialled at South Kingscliff. The belt is considerably cheaper and easier to install than board and chain. Materials \$23/m for Holey Belt as compared with \$95/m for Board and chain.

Len Greer investigated the site and reported that it was user friendly but was not as aesthetic as board and chain. Additionally, the belt will be limited in its application to flat accesses as it may be too slippery on slopes.

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### **10. Beach Erosion - Kingscliff Caravan Park**

#### **Erosion**

General discussion over erosion problem in front of Caravan Park.

Tom Kelly presented photos of the site and his concerns with proposed cabins and development of the park. As stated in his letter dated 24 August 1999 he raised the issues of dunes and buffer zones and the management of this site and location of Caravan Parks.

Stewart Brawley noted that Council is pursuing funds through DLWC to produce a Hazards definition study to identifying the short and long term processes occurring on the coast including at this site.

Cr Henry James noted that Council will be considering options regarding the future of the Caravan Parks with the Shire over the next 12 months.

Stewart Brawley to bring information to this committee regarding progress of a Hazards definition study as information becomes available.



## Reports from Sub-Committees

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**Moved:** Tom Kelly  
**Seconded:** Len Greer

### RECOMMENDATION:

That a Hazard Definition Study include consultation between the general public and the Dune Care Committee.

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### GENERAL BUSINESS:

#### 11. Clearing of Council land adjoining 5 Murphys Road, Kingscliff

It was suggested that a letter be sent from Council notifying residents at the above address that they must have Council approval to clear or mow adjoining council land.

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#### 12. North Kingscliff Vegetation Management Draft Plan

Ian Andersen presented the Dreamtime Beach Draft Plan. The combined Dune Care Groups submitted an application for a Greencorp project, part of which involves works in the area north of the units in Murphys Road. The committee endorsed works for the above area. Zone two requires more detail of fence and access track location in addition to further consultation with adjoining residents.

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#### 13. Kings Beach Development

**DA1180/668 Pt2**

Discussion at length.

**Moved:** Kate Mc Kenzie  
**Seconded:** Len Greer

### RECOMMENDATION:

That in considering the Kings Beach Dune Management Plan, Council consider the following recommendation:

- That gradual removal of bitou bush is preferred
- No removal of native plants be approved
- That plantings shall be precisely prescribed - species/spacing/location
- No ripping

## Reports from Sub-Committees

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- Absolute minimum of slashing - confined to western edge
  - Bonding of works
  - Proponents should pay for Council supervision when tractor slashing occurs
  - Spinifex to be fertilised
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### 14. NSW Coastal Policy

Submission closed 28 November 1999. Cr Henry James to supply policy documents at next meeting.

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### 15. NHT Funding

Kate McKenzie advised that NHT Funding was not applicable to Dune Care Groups. All funding is to be addressed through Coast Care which covers one kilometer inland from the sea.

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#### **NEXT MEETING:**

Thursday 9 March 2000.

The meeting closed at 7.55pm

#### ***Directors Comments:***

1. *That the recommendation under Item 1 be referred to the Reserves Trust for action.*
2. *That the recommendation under Item 10 be referred to the Manager Water for action.*
3. *The issues raised under Item 11 will be pursued by the Manager Recreation Services.*
4. *The matters raised under Item 13 have been determined by Council resolution.*

## Reports from Sub-Committees

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### 4. Minutes of the Sports Advisory Committee Meeting held 18 January 2000

GS9/2/3 Pt1 116 398

**VENUE:**

Buchanan Training Room, Murwillumbah

**TIME:**

The meeting commenced at 5.00pm.

**PRESENT:**

**Committee Members:** Cr Warren Polglase, Cr Philip Youngblutt, Mrs Glynnis Kenny, Mr Ken Baldwin, Mr Merve Edwards, Mrs Leanne Sharpe, Mr Ron Brisby, Mr Ross Conlon, Mr Andrew Walker, Mr Stewart Brawley

Mr Peter Moschogianis attended at 5.25pm.

Mr Kevin Brennan attended at 5.30pm.

Mr Cr Gavin Lawrie attended at 5.35pm.

**Informal:** Mrs Blyth Short (Recorder), Mr Wayne Mc Fee and Mr Brian Burrows (Tweed District Cricket Association)

**APOLOGIES:**

Mr Don Buckley, Cr Max Boyd

**CONFIRMATION OF MINUTES:**

**Moved: Merv Edwards**

**Seconded: Ken Baldwin**

**RESOLVED** that the Minutes of Meeting held 16 November 1999 be accepted as a true and accurate record of the proceedings of that meeting.

**BUSINESS ARISING:**

#### 1. Les Burger Field/Round Mountain/Pony Club

GS9/2/3 Pt2

Waiting on correspondence from National Parks and Wildlife Services to confirm meeting with Committee and Council to discuss future management of this land. DLWC indicated representatives will be available in February.

## Reports from Sub-Committees

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### 2. Cricket Association

Mr Wayne Mc Fee and Mr Brian Burrows expressed concerns that Council was not planning for provisions for future sports fields in the Tweed. Players are not prepared to extend their playing times to Sunday games.

Warren Polglase replied, stating that the existing grounds will be put under extreme pressure in the new two to three years.

Stewart Brawley stated that sportsfields are planned for in that new developments are required to provide open space on a pro rata basis per numbers of new residents. A lag in supply is created as new residents move in before the areas are dedicated and developed. Stewart Brawley outlined some of the planned future sportsfields. Stewart Brawley added that existing fields should be utilised to full capacity before more money is spent on developing new fields. It was suggested that the turf wickets be addressed as a separate issue.

Mr Wayne Mc Fee and Brian Burrows, Cricket Representatives departed 5.18pm.

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### CORRESPONDENCE:

### 3. Starting dates for Winter Sports

Correspondence from Gold Coast Soccer Inc and Gold Coast Group 18 Rugby Football. Re: 2000 starting dates. To be discussed in general business.

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### 4. Murwillumbah Services Soccer Club

#### Sportsfields

Correspondence was received requesting financial assistance through the Sportsfield Assets Reserve funds for a dollar for dollar basis reimbursement to cover the costs of securing the building. Total costs is \$1,200.00.

**Moved:** Ken Baldwin

**Seconded:** Cr Philip Youngblutt

**PROPOSED** that Council provides the full amount of \$1,200.00 to Murwillumbah Soccer Club for costs of securing the Club building from the Sportsfield Assets Reserve Funds.

The motion was lost.

**Moved:** Glynnis Kenny

**Seconded:** Leanne Sharpe

The motion was carried.

## Reports from Sub-Committees

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### RECOMMENDATION:

That Council reimburses the Murwillumbah Soccer Club for the costs of securing the Club building from the Sportsfield Assets Reserve Funds to the amount of \$600.00.

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### GENERAL BUSINESS:

#### 5. Starting dates for Winter Sports

Gold Coast Soccer Inc: Senior Premier and Reserves commencing 11 March 00, to 2 September 00. Senior 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> Division and Under 18's commencing 5 March 00, to 27 August 00. Junior U6 - U16's commencing 10 March 00, to 26 August 00.

Gold Coast Group 18 Rugby Football commencing 12 March 00 to 13 August 00.

Stewart Brawley suggests that Council writes to the associations advising them of the fields that will not be available until after 1 April, requesting the Association accommodate this in the draw.

Stewart Brawley had advised that he has contacted Brothers Rugby League to see if they might consider Group 18 Rugby League utilising their field to accommodate some of their games.

Peter Moschogianis advised that there would be a problem with sharing the Piggabeen field with Seagulls Rugby League due to the nature of the sports and the impact on the Softball diamond.

Stewart Brawley suggests to negotiate between tenants addressing the issue. Correspondence to be forwarded to effected tenants stressing tolerance due to the sports overflow of the seasons.

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#### 6. Skate park Cabarita Beach

General discussion about the preferred site option.

Stewart Brawley advised Council has applied for a license and boundary alteration from DLWC to formalise the land containing the current access road to the Les Burger Fields. The location of the skate facility requires further community consultation.

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## Reports from Sub-Committees

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### 7. Tour of Sports Grounds

After a general discussion on possible dates it was agreed that the Committee would meet at 4.00pm, 15 February 2000. Departing Tweed Civic Centre by bus to tour the Shire Sports Fields and to return to Tweed Civic Centre afterwards to conduct monthly meeting.

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### 8. Little Athletics

Stewart Brawley advised that the proposed shed development application was being processed by Council.

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### 9. Cricket/Sunday play

Discussion was held on the merits and problems associated with sports played on Sundays. Many sports play Sundays and week nights. This can place extra burdens on volunteers, referees etc.

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### 10. Signage on Fields

General discussion over signage policy. Warren Polglase suggested to send policy to every member of the committee for their information.

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#### **NEXT MEETING:**

15 February 2000 at the Tweed Heads Civic Centre.

The meeting closed at 5.55pm.

*Directors Comments: That the recommendation under Item 4 be adopted by Council.*

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## Reports from Sub-Committees

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

5. Minutes of the Community Cultural Development Committee Meeting held  
10 December, 1999
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# Orders of the Day

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## 1. Notice of Motion - Cr Luff

### Role of the Mayor

### Council Meetings

*That Council:-*

1. *Notes the role of the Mayor is defined under the Section 226 of the Local Government Act 1993, namely:*
  - (a) *to exercise, in cases of necessity, the policy-making functions of the governing body of a council between meetings of the council;*
  - (b) *to exercise such other functions of a council as the council determines;*
  - (c) *to preside at meetings of a council; and*
  - (d) *to carry out the civic and ceremonial functions of the mayoral office*

*and*
2. *Given the recent directions made by the Mayor to staff regarding the Secretary whose job description is to provide assistance to all Councillors including the Mayor, and the recent untrue statements made publicly as outlined in the attachment, Marked 'A', Council gives clear direction that:*
  - *the Mayor has not powers additional to those of any Councillor other than those given under Section 226 (a), (c) and (d);*
  - *whenever it becomes clear that council urgently needs to determine some policy, the Mayor will call a meeting and/or workshop of councillors, so that Council may determine such policy, unless it is not possible to call such a meeting;*
  - *when an opinion or determination of Council has clearly been made by resolution at a meeting of Council, the Mayor when speaking of it, must accurately, within the confines of appropriate confidentiality, relate the content of the decision, and of related reports made to Council by its staff. Where the Mayor otherwise expresses to the media, government Ministers or others, an opinion, a wish or hope, an intention to take action, or any other comment, she/he will make clear that she/he is speaking as an individual Councillor, and this her/his opinion or position is personal.*

## Orders of the Day

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### 2. Notice of Motion - Cr Luff

#### Role of the Mayor

#### Council Meetings

*That if the above motion is passed, a copy of the resolution be sent to all Government departments and agencies, local Members of Parliament and local media.*

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### 3. Notice of Motion - Cr Lawrie

#### Development Application K99/1674 - Lot 319 DP 853944 Federation Drive, Terranora

#### DA2035/355 Pt1

*That Development Application K99/1674 lodged by David Perry Homes for a detached dual occupancy at Lot 319 DP 853944 Federation Drive, Terranora be refused for the following reasons:-*

- 1. The application is inconsistent with the understandings and expectations of the residential community of Terranora Village - as reflected in the legitimate and substantial objections received and has been based upon the sewer capacity constraints prior to December 1999.*
  - 2. The proposal will adversely impact upon the existing low residential density and character of the locality.*
  - 3. The proposal will set an undesirable precedent and will lead to further adverse impacts upon the low residential character and amenity of residents at Terranora Village.*
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# Orders of the Day

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