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20 SEPTEMBER 2000

REPORTS FOR DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

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

335

Cr Luff

Cr Marshall

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

Current Status: Draft Policy nearing completion. Awaiting visit from Council's Risk Management Consultant.

21 FEBRUARY 2001

REPORTS FROM DIRECTOR ENGINEERING SERVICES

11. **Tweed Valley Flooding 2 - 4 February 2001**

Floods, SES

766

Cr Boyd

Cr Carroll

RESOLVED that:-

1. This report be received and noted.
2. Councillors interested in viewing the ENVIROMON Program contact the Manager Water who will arrange demonstrations.
3. The Director Engineering Services brings forward a report with recommendations as to the conduct of a flood awareness program.
4. Council co-operates in a joint public meeting with the SES.

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

Schedule of Outstanding Resolutions

21 MARCH 2001

REPORTS FROM SUB-COMMITTEES

2. **Minutes of the Tweed River Management Plan Advisory Committee Meeting held Wednesday 7 February 2001**

Tweed River Management Plan

6. **Commercial Boat Operations on the Tweed Estuary**

Boating, Regulatory Signs

887

Cr Marshall

Cr Boyd

RESOLVED that Council investigates development of a by-law to charge a penalty fine for vessels illegally moored on public facilities.

Current Status: To be finalised.

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

5. **Dilapidated Structures - Tumbulgum**

PF0460/270 Pt1

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

C161

That Council:-

1. Undertakes the work to
 - a) Connect the dwelling situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum to the council sewer.
 - b) Demolish and remove the dilapidated/illegal ferneries/pergolas situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.
 - c) Remove waste materials and disused motor vehicles as required from Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.
2. Receives a further report to be submitted on the matter of the repairs/maintenance to the dwelling situated at Lots 29/30 Section 2 DP 1223 No. 47-49 Bawden Street, Tumbulgum.
3. Raises a debt against the property to recover all costs.

Current Status:

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

Schedule of Outstanding Resolutions

18 APRIL 2001

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

3. Houses on Road Reserve - Reserve Creek Road

R4660 Pt3

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

C188

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

Current Status: To be completed

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

5. Options Cabarita Beach SLSC New Clubhouse

Surf Life Saving - Cabarita Headland

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

C190

That Council:

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

Current Status: Study to be undertaken.

5 MAY 2001

ORDERS OF THE DAY

1037

Cr Boyd

Cr Lawrie

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

Schedule of Outstanding Resolutions

1. Its total length
2. Current traffic counts and those forecast for 2005-2010
3. An assessment of the present condition of the pavement of this section so as to identify how much is in a failed or near failed condition
4. An estimate of the cost to bring the cost to bring the existing pavement up to a satisfactory standard before it becomes a Council responsibility.
5. An assessment of the cost of repairing that section of the river bank subsidence threatening the Highway near the Ampol Service Station in Murwillumbah.
6. A forecast as to the time when the section of the Highway between Murwillumbah and the 4 land section at Stotts Creek will have to be constructed to 4 lane standard.
7. An estimated cost to carry out the construction mention in (6).
8. The number and location of road deaths on this section of Highway over the past 10 years, segregated into those north of Murwillumbah and those south of Murwillumbah.
9. The identification of those sections of this road considered to be black spots such as Murnane's Corner near Burringbar; the turn off at Burringbar to Reserve Creek; and the Railway Bridge at Greenhills.
10. Any other relevant information considered import on this issue.

Current Status: To be finalised.

16 MAY 2001

ORDERS OF THE DAY

3. Numinbah Road - Safety Audit

Notice of Motion; Numinbah Road; R3780 Pt2

1068

Cr Marshall

Cr Youngblutt

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

Current Status: To be finalised.

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6 JUNE 2001

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

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

DA0659/235 Pt1

1080

Cr Boyd

Cr Luff

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

Current Status: To be finalised.

- 6. Draft Development Control Plan No 18 - Tweed Heads**

GT1/DCP/18 Pt6

1084

Cr Brinsmead

Cr Youngblutt

RESOLVED that:

1. Council delays finalising the DCP until:
 - a) The Queensland University of Technology/TEDCO make their submissions
 - b) There is a further review of the plan relative to lot sizes for buildings above 3 storeys.
2. This matter be brought back to Council for finalisation within 6 weeks.

Current Status: Report to Council Meeting 18 July 2001.

REPORTS FROM DIRECTOR CORPORATE SERVICES

- 25. Councillors Expenses**

Councillors - Fees

1107

Cr Polglase

Cr Youngblutt

RESOLVED that this report be deferred to enable the report to be updated.

Current Status: Report being prepared.

Schedule of Outstanding Resolutions

13 JUNE 2001 (ADJOURNED MEETING)

REPORT MOVED FROM ORDINARY INTO CONFIDENTIAL

- 39. Boulders on Foot Path in front of 45 Lalina Avenue, Tweed Heads West and Building Works Not in Accordance with Approval at 47 Lalina Avenue, Tweed Heads DA3010/565 Pt1, DA3010/190 Pt1**

Cr Luff

Cr Lawrie

RESOLVED that this item be deferred to allow the applicants to address community access.

Current Status: Mr Michael Langenbich booked to address Community Access 11 July 2001.

Items Deferred

ITEM DEFERRED FROM MEETING HELD 6 JUNE 2001

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

15. *Amendment to Development Consent 0944/2000DA for the Erection of a 3 Storey Residential Flat Building Comprising 8 x 3 Bedroom Dwellings at Lot 40 DP 237678, No. 20 Frances Street, Tweed Heads*

DA2131/230 Pt3

1096

Cr Polglase

Cr Lawrie

RESOLVED that this matter be deferred to the next meeting of Council.

15. ORIGIN: Development Assessment Unit

FILE REF: DA2131/230 Pt3

REPORT TITLE:

Amendment to Development Consent 0944/2000DA for the Erection of a 3 Storey Residential Flat Building Comprising 8 x 3 Bedroom Dwellings at Lot 40 DP 237678, No. 20 Frances Street, Tweed Heads

SUMMARY OF REPORT:

Council issued development consent (0944/2000DA) for a three storey residential flat building at No. 20 Frances Street, Tweed Heads. As a condition of that consent (Condition No. 21) the applicant was required to comply with Development Control Plan No. 39 Energy Smart Homes Policy in relation to the installation of energy efficient hot water systems which achieve a 3.5 Star Energy Efficiency Rating for the development. This condition has the effect of requiring the developer to install gas or solar water heaters rather than the standard electric systems. The applicant has submitted a Section 96 Application to have this condition deleted.

The applicant is also seeking a minor amendment to the design of the building and wishes to replace a window with a sliding door on the ground floor of the western side of the building. This minor amendment to the design of the building is recommended for approval. However the deletion of Condition No. 21 is not recommended for approval for the following reasons:

- Undermine the integrity of Council's Development Control Plan No. 39 Energy Smart Homes Policy reducing the effectiveness of Council's endeavours to reduce greenhouse gas emissions at a domestic level;
- It will create an undesirable precedent for multi dwelling housing development;

Items Deferred

- The applicant has failed to demonstrate that gas hot water systems are economically unviable in this instance, despite Council requesting such costing details;
- Gas mains are located nearby for the development to connect to or provision could be made in the underground car park for the siting of a gas tank.

RECOMMENDATION:

That development consent 0944/2000DA for the erection of a residential flat building comprising 8 dwellings at Lot 40, DP 237678, No. 20 Frances Street, Tweed Heads, be amended in the following manner:

Condition No. 7 be amended to read

7. The development shall be completed in general accordance with Plans Nos 3600/WD/ - 01D, 02D, 04C, 05C, 06C, 07C, & 09A prepared by Pat Twohill Pty Ltd and dated July 2000, and Plans Nos 1 and 2, dated May 2001 except where varied by these conditions.

Items Deferred

REPORT:

Applicant: Mr KG Gessell

Owner: Crown Pastoral Co Pty Ltd, Deepwood Pty Ltd & Mr K Gessell

Location: Lot 40, DP 237678, No. 20 Frances Street, Tweed Heads

Zoning: 2(b) Medium Density Residential

Est Cost: 1200000

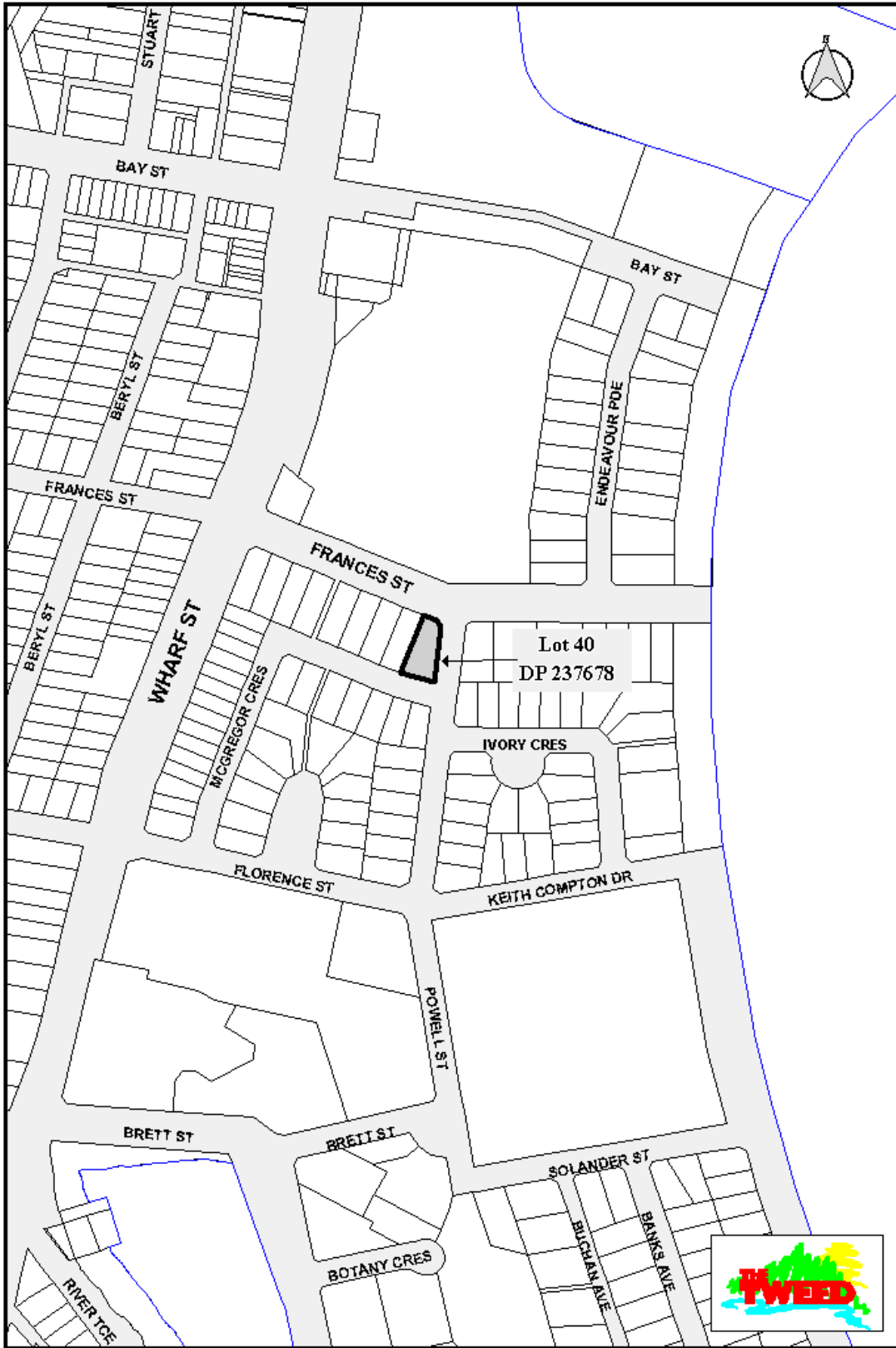
BACKGROUND

Council issued development consent (0944/2000DA) for a three storey residential flat building at No. 20 Frances Street, Tweed Heads. As a condition of that consent (Condition No. 21) the applicant was required to comply with DCP No. 39 Energy Smart Homes Policy in relation to the installation of energy efficient hot water systems which achieve a 3.5 Star Energy Efficiency Rating for the development. The applicant has submitted a Section 96 Application to have this condition deleted.

The applicant is also seeking a minor amendment to the design of the building and wishes to replace a window with a sliding door on the ground floor of the western side of the building.

Items Deferred

SITE DIAGRAM



Items Deferred

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

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

Section 96 Environmental Planning and Assessment Act 1979 (EPA Act 1979)

The proposed substitution of a sliding door for the window is consistent with the provisions of Section 96(1)(A) of the EPA Act 1979 and is considered to be substantially the same development. The Sliding Door will provide access from a bedroom within Unit 3 onto a landscaped podium level. Proposed amendment is minor in nature, and will not affect the overall appearance or function of the building.

The deletion of Condition No. 21 also falls within the ambit of Section 96 of the EPA Act 1979, and the development with or without energy efficient hot water systems will remain substantially the same development. The merits of deleting the condition are discussed below.

(a) (iii) **Development Control Plans (DCP's)**

Development Control Plan No. 39 Energy Smart Homes Policy

The overall guiding principle of the Development Control Plan is to ensure dwellings through their design, construction, and use of appliances use less energy more efficiently. By good solar design and orientation and use of appropriate materials and appliances an energy efficient home is approximately \$1000 a year cheaper to run than a non energy efficient home. By reducing household use of energy, this in turn will also have a positive effect on reducing greenhouse gases.

Condition No. 21 was placed on the Consent to ensure that the development complied with Part 4.9 of DCP No. 39. The objective of this part is to require the installation of energy efficient hot water systems and water efficient devices that minimise greenhouse gas generation. As a preferred outcome all dwellings should be fitted with an energy efficient hot water system which achieves a minimum energy efficient rating of 3.5 stars.

The applicant sought a variation on cost grounds alone and submitted details highlighting the difference in costs between a standard electric system and a solar system. No additional information was submitted with the application as to why an exemption should be granted. Considering that gas is located nearby in Wharf Street, Gas systems are comparably priced with continuous supply electric systems and similar types of development approved in Tweed Heads were required to install energy efficient Hot Water Systems, a variation was not granted.

This is in accordance with Council practice since the introduction of the DCP in April 2000 with multi dwelling development such as dual occupancy development, townhouses, villas and residential flats have been required to comply with Part 4.9 of the DCP. The following is a list of some of the Development Applications approved by Council in the Tweed Heads- Banora Point area which are required to or have complied with the Hot Water System Requirements of DCP No. 39.

Items Deferred

- 0582/2000DA – Botanical Circuit, Banora Point: Dual Occupancy
- 0620/2000DA – Riverside Boulevarde, Banora Point: Dual Occupancy
- 0621/2000DA – Riverside Boulevarde, Banora Point: Dual Occupancy
- 0674/2000DA – 241 Darlington Drive, Banora Point: Dual Occupancy
- 0697/2000DA – 2 Kerry Court, Banora Point: Dual Occupancy
- 0746/2000DA – 18 Enid Street, Tweed Heads: Residential Flat Building
- 0755/2000DA – 17 Vail Court, Bilambil Heights: Dual Occupancy
- 0899/2000DA – 5 Medoc Place, South Tweed Heads: Dual Occupancy
- 0945/2000DA – Flemington Street, Banora Point: Dual Occupancy
- 0940/2000DA – Cnr Enid and Frances Street, Tweed Heads: Residential Flat Building.
- 1087/2000DA – 30 Thompson Street, Tweed Heads: Residential Flats
- 0001/2001DA – Kirkwood Road, Tweed Heads South: Villa Development (81 dwellings)
- 0002/2001DA – Kirkwood Road, Tweed Heads South: Villa Development (20 Dwellings)
- 0005/2001DA – Kirkwood Road, Tweed Heads South: Villa Development (46 Dwellings)

An exemption can be sought from Council on having to comply with the Energy Smart Homes Policy and there are a number of circumstances whereby such an exemption can be sought. These include block geometry, topography, novel construction, , overshadowing from neighbouring buildings, cost effectiveness, with approval of an exemption subject to merit assessment. To date Council has not granted exemptions on the Hot Water System requirement on cost grounds alone for multi-dwelling development, as compliance with the policy can generally be achieved.

The applicant has submitted in the Section 96 Application that an exemption should be granted on the following grounds.

1. It is economically unviable over a five year period to comply with the policy.
2. Energex say that it is not viable to provide gas to the site.
3. The building has not been designed for the installation of solar heaters, or for storage of a main gas cylinder or individual gas tanks for each dwelling.
4. Applicant wasn't advised during the DA process that he would be required to comply with the policy.

The applicant was requested to provide a cost analysis of Electric Systems, Gas Systems with supply from a Centralised Tank, and Gas Systems with supply from Energex

Items Deferred

demonstrating the economic viability of such systems over a 5 year period. No details were submitted for a proper analysis of what the costs involved were or written confirmation as to what the cost would be to extend the gas from Wharf Street to the Site. The applicant during discussions with Council Development Assessment Panel estimated this cost to be \$250,000.

Discussions with Energex estimated the cost of extending the mains to the site would be \$14,000, a figure far less than the amount quoted during the Panel meeting. Energex also advised that they could supply the gas, but it was unviable for them to provide gas to this property alone. However this may not make it unviable for the developer to provide gas to the property, and the applicant has failed to demonstrate this in relation to the supply and connection of Electric Hot Water Systems.

It is correct that the applicant was not advised by Council that an exemption would not be granted until they received their approval, however the applicant was fully aware of the Council Policy and sought a variation, which was assessed by Council and a determination made on the information submitted. Further the applicant's Private Certifier who prepared the application was also fully aware of the requirement and has had similar dealings with Council in relation to other development in Tweed Heads. In relation to the design of the building, it is recognised that the building is not designed for the installation of solar hot water systems, however it is considered that the car parking area could be re-configured as the developer has provided four additional spaces to what is required to enable the installation of a main gas cylinder or even individual cylinders.

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

Should Council support the deletion of the condition, this will have a cumulative impact on the environment in relation to greenhouse gases. As stated above the aims and objectives of DCP 39 is to reduce greenhouse gases through the installation of energy efficient appliances. Electric Hot Water Systems are not energy efficient, hence there 1 star energy efficiency rating. By approving the deletion of this condition the development will have a negative impact on reducing greenhouse gas emissions. Further Council runs the risk of setting an undesirable precedent and future applications for multi-dwelling development will also be seeking an exemption on similar grounds of cost.

The proposed replacement of a window for a sliding door on the ground floor in Unit 3 will enable residents of this Unit to have direct access onto the landscaped podium from the bedroom. It is considered that the impact on neighbourhood amenity from this minor change is negligible as the podium was designed for outdoor living use and is readily accessible from the northern and eastern side of the Unit.

(e) Public interest

As discussed above the request for an exemption to the policy does not have merit, and to ensure that the principles of DCP No. 39 are not placed in jeopardy by creating a precedent for multi dwelling housing it is considered that it is not in the public interest

Items Deferred

to grant a variation to the Hot Water System requirements. The condition to install energy efficient HWS has been placed on a number of consents for multi dwelling housing developments issued since the policy came into force. There are no other circumstances that restrict this development from complying with Condition No. 21 and as such it is recommended that the Consent should not be amended by the deletion of the applicable condition.

OPTIONS

1. Approve the minor variation in design to the building, but refuse the application to delete Condition No. 21.
2. Approve the minor variation in design to the building, and delete Condition No. 21 as requested.

CONCLUSION

The minor change in design to the building with the replacement of a window with a sliding door is consistent with the provisions of Section 96 of the Environmental Planning and Assessment Act 1979 and will not affect the privacy or amenity of the neighbourhood or adversely impact upon neighbours to the west. This change to the opening to the building is recommended for approval.

It is recommended that Condition No. 21 not be deleted as it will create an undesirable precedent for multi dwelling housing development, undermine the integrity of Council's Energy Smart Homes Policy reducing the effectiveness of Council's endeavours to reduce greenhouse gas emissions at a domestic level. Gas mains are located nearby, and provision could be made in the underground car park for the siting of a gas tank. Further the applicant has failed to demonstrate that gas hot water systems are economically unviable in this instance, despite Council requesting such costing details.

Items Deferred

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Reports from Director Development Services

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

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

MATTERS FOR CONSIDERATION

1. In determining a development application, a consent authority shall take into consideration such of the following matters as are of relevance to the development the subject of that development application:
 - (a) the provisions of
 - (i) any environmental planning instrument; and
 - (ii) any draft environmental planning instrument that is or has been placed on exhibition and details of which have been notified to the consent authority, and
 - (iii) any development control plan, and
 - (iv) any matters prescribed by the regulations,that apply to the land to which the development application relates,
 - (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts of the locality,
 - (c) the suitability of the site for the development,
 - (d) any submissions made in accordance with this Act or the regulations,
 - (e) the public interest.

Reports from Director Development Services

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Reports from Director Development Services

1. ORIGIN: Strategic Town Planning Unit

FILE REF: GT1/DCP/6 Pt2

REPORT TITLE:

Development Control Plan (DCP) No 6 - Multi-Dwelling Housing

SUMMARY OF REPORT:

Draft amendments have been made to DCP 6 – Multi-Dwelling Housing to ensure that the provisions apply to the whole Shire, including Tweed Heads. Tweed Heads is currently excluded from the area affected by DCP 6.

Other amendments have also been made to ensure that the terminology and provisions of the DCP are compatible with Tweed LEP 2000, and that current legislation and planning policies are correctly referenced. A new clause has been inserted to apply to car wash areas associated with multi-dwelling housing developments.

The draft Amendments were publicly exhibited for one month, and one submission was received. A copy of the draft Development Control Plan No 6 (Version 2) is attached as Appendix 1 to this report.

RECOMMENDATION:

That Council:

1. Pursuant to Sections 21 and 22 of the Environmental Planning and Assessment Regulation 2000, approves Development Control Plan No 6 (Version 2) – Multi-Dwelling Housing;
2. Forwards a certified copy of the approved Development Control Plan to the Director-General of the Department of Urban Affairs and Planning; and
3. Gives public notice of its decision.

Reports from Director Development Services

REPORT:

BACKGROUND

Development Control Plan No 6 – Multi-Dwelling Housing came into effect on 6 July, 1998. It contains design guidelines for multi-dwelling residential developments up to three storeys in height, and applies to the whole of Tweed Shire with the exception of Tweed Heads.

Tweed Heads was excepted from the DCP, as specific design guidelines for the high rise forms of development permitted in Tweed Heads were to be (and now have been) incorporated into a separate DCP for Tweed Heads (refer Draft DCP 18 – Tweed Heads). However, multi-dwelling residential development of three storeys or less is still permitted in Tweed Heads. Therefore, it is considered appropriate that DCP 6 be amended such it applies to the whole Shire, including Tweed Heads.

The opportunity was also taken to make other minor amendments to the DCP at this time. The Manager of Strategic Planning used his delegated authority to “prepare and exhibit minor amendments to development control plans for exhibition”.

DRAFT AMENDMENTS

The primary reason to amend the draft DCP was to ensure that Tweed Heads was no longer excluded from the provisions of DCP 6. Clause 1.2 of the DCP - “Where does this Plan apply?” was amended accordingly, and now reads “This Development Control Plan applies to the Tweed Shire Local Government Area (LGA)”.

Various minor amendments were also made to terminology and definitions to ensure that the DCP was compatible with and reflected the provisions of Tweed LEP 2000 and other current planning policies.

A new Section was added to the DCP specifying Council’s objectives and guidelines for the provision of car wash areas associated with multi-dwelling residential developments (refer Section 3.4.2 of DCP).

PUBLIC EXHIBITION

The draft amendments to DCP 6 were placed on public exhibition concurrently with draft DCP 18 – Tweed Heads between 26 April and 24 May, 2001.

One submission was received which is addressed below.

Submission:

The submission from a planning consultant refers to the proposed new Section 3.4.2 “Car wash areas”. The submitter:

- Supports the objectives of the Section, but considers that the “acceptable solutions” are too onerous for small-scale multi-dwelling unit developments which have less than 5 dwellings;
- Contends that under the provisions of Section 3.4.2 a new duplex or 3 dwelling development would need to provide one car wash space in addition to one visitor space,

Reports from Director Development Services

whereas a 20 dwelling development would only need to provide 2 car wash areas in addition to visitor parking;

- Contends that it is often not practical to provide car wash areas to comply with the Environment Protection Manual 1995 in small developments, particularly those involving mixed uses in commercial zones;
- Requests that Clause A3 in Section 3.4.2 be amended to read:

“A3. Car wash areas to be provided at the rate of 1 per 10 dwelling units, with a minimum of one car wash area being provided for any multi-dwelling development with 5 or more dwellings”.

Response to Submission:

The objectives of Section 3.4.2 Car Wash Areas are to improve water quality in the Shire's waterways by controlling the disposal of sediment and nutrient laden car wash runoff by ensuring the provision of suitable car wash areas.

One of the “Acceptable Solutions” states:

“A3. Car wash areas to be provided at the rate of 1 per every 10 dwelling units, with a minimum of one wash area being provided for each multi-dwelling housing development”.

It is considered that Clause A3 should be amended to require that a car wash area be provided only in developments of 5 or more dwellings, and where developments contain less than 5 dwellings and space is not available for a car wash area, suitable alternative arrangements must be made. The draft DCP attached as Appendix 1 to this report has been amended accordingly.

FURTHER AMENDMENTS

Section 3.1.3 Site Density

A review of the draft amendments has indicated that some adjustments to the site density controls in Section 3.1.3 were required:

- Clause A1 in Section 3.1.3 stated that site densities for multi-dwelling housing in the 2(a) Low Density Residential Zone were to conform with the requirements of Tweed LEP 2000. Clause A1 has now been amended such that it applies to integrated housing as well as multi-dwelling housing (which by definition are different forms of development). Additionally, the clause now reiterates the specific density requirements of the LEP.
- A reference to minimum site areas for integrated housing appeared in DCP 6, but was deleted from the draft amendment. This has now been reinserted, but with an adjustment to the minimum site area. The minimum site area will now increase from 232m² to 250m² per integrated housing unit, so that it is consistent with the 250m² minimum site area per dwelling standard specified for integrated housing in the 2(a) zone under Tweed LEP 2000.

Reports from Director Development Services

CONCLUSION

The proposed amendments to DCP 6 will ensure that the DCP can be used in conjunction with DCP 18 – Tweed Heads; that the DCP is compatible with Tweed LEP 2000 and that the DCP makes correct reference to other current planning policies and legislation.

The DCP will also include a new section concerning car wash areas, to ensure that water quality in the Shire's waterways is improved by controlling the disposal of pollutants generated from car wash runoff in residential developments.

Reports from Director Development Services

2. ORIGIN: Strategic Town Planning Unit

FILE REF: Strategic Planning Program

REPORT TITLE:

Strategic Planning Work Program

SUMMARY OF REPORT:

A Works Program has been established for the Strategic Planning Unit. The projects before the Unit will be undertaken in accordance with the prioritisation attributed to it within the Works Program.

RECOMMENDATION:

That Council's Strategic Planning Works Program for the period to December 2001 comprises the following:

- Continuation of existing Local Environmental Plan Amendments and Studies currently in progress, with the exception of:-
 - (a) the Local Environmental Plan Amendment for Area E. This project to be held in abeyance until such time as the Kirkwood Road/Tweed Bypass access issues are resolved; and
 - (b) the Local Environmental Plan for Kings Forest.
- Proposed Local Environmental Plan Amendments:
 - Chinderah – Stirling Land;
 - Melaleuca Station, Lot 704 on DP 1000580;
 - Tweed Local Environmental Plan 2000 Housekeeping Amendments – Exempt and Complying Development, Signage, Coolangatta Airport, Administrative Local Environmental Plan Amendments;
 - Sea Breeze Estate, Pottsville;
 - Coronation Avenue, Pottsville;
 - Riveroak Drive;
- Review of Development Control Plan No. 5 – Development of Flood Liable Land;
- Preparation of Coastal Hazard Policy;
- Preparation of Bushfire Hazard Control Development Control Plan.

The inclusion of Proposed Local Environmental Plan Amendments in the Work Program is only to proceed to the preparation of a Section 54 Report. Further work will

Reports from Director Development Services

proceed on each proposal only if Council resolves to prepare a draft Local Environmental Plan.

Reports from Director Development Services

REPORT:

The purpose of this report is for Council to establish and adopt a Strategic Planning Work Program for the next 6 months.

The report provides a schedule of:

Current Projects:

Projects that the Strategic Planning Unit are currently working on and an update of projects that Council adopted at its meeting on 20 December 2000.

Additional and Potential Projects:

These are projects that have recently been proposed or are in the pipeline and scheduled to be undertaken by the Strategic Planning Unit.

Below is a list of current projects being undertaken by the Strategic Planning Unit.

Current Project

Strategic Projects:

Tweed LEP 2000 Review, principally concerned with Rural Settlement Strategy

Residential Development Strategy

Economic Development Strategy

Kingscliff Regional Strategy

Vegetation Management Plan

LEP Amendments:

LEP Amendment No 7 - Hansen property.

LEP Amendment No 6 - Land Reclassification

Kings Forest (Amendment No 20)

Seaside City (Amendment No 3)

Action Sands, Chinderah, Lot 9 DP 830659 (Amendment No 17)

LEP Amendment 9 - Fernvale/Wardrop Valley Industrial Land

Cobaki Lakes (LEP Amendment No 2)

Gales Holdings - Lot 3 on DP 826298, Chinderah, (LEP Amendment No 19)

Black Rocks (Amendment No 8)

Area E (Amendment No 10)

Reports from Director Development Services

Kingscliff Sewage Treatment Works (Amendment No 14)

Marana Park (Amendment No 15)

DCP Preparation

DCP No 45 - Socio-Economic Impact Assessment

DCP No 18 - Tweed Heads

South Kingscliff Tourism Site DCP

DCP No 6 - Multi-Dwelling Housing (Version 2)

S94 Plan Preparation

S94 Planning – Open Space, Libraries, and Community Facilities, Surf Lifesaving Facilities

Social Planning

Social Planning (Social Plan, Banora Point Community Centre, DCP 45)

The projects listed above are at various stages, and Appendix A sets out the current status of each one.

Additional and Potential Projects

Since the last Work Program a number of potential projects have either been identified or proposed which are listed below.

- Coolangatta Airport
- LEP Amendments:
 - Chinderah - Stirling Land.
 - Highway Service Centre, Melaleuca Station, Lot 704 on DP 1000580.
 - Boundary adjustment Lot 9 DP 263998, and Lot 10 DP 262031, McLeod Street, Condong.
 - A number of submissions relating to rural residential subdivisions on hold pending the findings and recommendations of the Rural Settlement Strategy. Finalisation of the Rural Settlement Strategy will also need to be reflected by way of an LEP Amendment.
 - Drafting/mapping anomaly, Lot 1 DP 807182, Terranora.
 - Zoning review of Tanglewood.
 - Tweed LEP 2000 housekeeping – Exempt and Complying Development, Signage, Black Rocks - correct drafting/mapping anomaly, administrative amendments;
 - Additional urban land - Sea Breeze Estate, Pottsville.

Reports from Director Development Services

- Service trades area, Coronation Avenue, Pottsville.
- Various outstanding submissions in respect of the exhibition of TLEP 2000 which were to be considered as part of the Stage 2 Review (eg, Church Lane, Coast Road, Cabarita).
- Revision of Council's Flood Policy following the finalisation of the State Flood Policy.
- Coastal Hazard Policy following completion of Coastal Hazard Study.
- Fingal DCP.
- Pottsville DCP.
- Riveroak Drive, Bray Park, Lot 2 DP 830595.
- Lot 9 DP 866679, Bakers Road, Byangum.

Many of these relate to LEP Amendments for which a detailed appraisal has not yet been undertaken. Nevertheless, a summary of each one can be found in Appendix B.

Resources

The resources available to Council are limited. Since the consideration of the previous works program, Council has recruited an additional Strategic Planner. The priority for this planner should be work on LEP amendments, preferably managing consultants engaged by Council of proponents cost to prepare individual draft LEPs. It is imperative that the projects mentioned above are clearly prioritised and coordinated to ensue their progression. No doubt each project has a priority to its proponent. However, it is suggested that the potential projects be priorities based on:

- The community benefit to be gained from devoting Council resources to them;
- The agreement of proponents to provide, where appropriate, additional resources to engage consultants to supplement Council's resources.

It is essential that those projects concerning flooding, bushfire and coastal hazard commence. The comments in respect of Area E in Appendix A are also significant.

All existing projects being undertaken by the Strategic Planning Unit should maintain their status. Below is a list of the potential new projects categorised according to their priority. It should be noted that any LEP Amendment would require a further report to Council in respect of a formal S54 Report, should any be included in the program.

High Priority

- Continuation of existing LEP Amendments and Studies currently in progress, with the exception of the LEP Amendment for Area E. This project will be held in abeyance until such time as sufficient capacity in the regional road network can be provided;
- Rural Settlement Strategy.
- Proposed LEP Amendments:

Reports from Director Development Services

- Chinderah – Stirling Land;
 - Melaleuca Station, Lot 704 on DP 1000580;
 - Tweed LEP 2000 Housekeeping Amendments – Exempt and Complying Development, Signage, Coolangatta Airport, Administrative LEP Amendments;
 - Sea Breeze Estate, Pottsville;
 - Coronation Avenue, Pottsville;
 - Riveroak Drive.
- Flood Policy.
 - Coastal Hazards Policy.

Medium Priority

Locality planning for Cabarita and Murwillumbah.

On Hold Pending Findings of Other Studies:

- Lot 606 DP 1003398, Duranbah Road (Rural Settlement)
- Tanglewood – Pending further investigations
- Terranora, Lot 12 DP 1005206, Lot A DP 32759.

Reports from Director Development Services

Appendix A - Current Works Program	
Program Item	Progress/Comments
Review of Residential Development Strategy	Current Strategy 10 years old. Review required to facilitate development.
Economic Development Strategy	Work concentrated on Industrial Land analysis, now completed. The strategy has commenced and is expected to be completed by the end of year.
Kingscliff DCP (DCP 43)	DCP was adopted March 2001.
Social Planning	Social Plan Update 2001/2 exhibited with Management Plan. Ongoing project to implement findings of Plan.
S94 Planning	S94 Plans being prepared for Open Space, Libraries, and Community Facilities.
DCP Socio-Economic Impact Assessment	Draft Plan integrated with economic impact assessment, submitted to Council on 6 June, 2001.
Tweed Heads DCP (DCP 18)	Draft DCP completed and exhibited. Council deferred adoption on 6 June, 2001.
LEP Amendment - Hansen property (Amendment No 7).	Section 62 consultation completed.
LEP Amendment - Piggabeen Sports Complex (Amendment No 4).	Plan gazetted 17 November 2000.
LEP Amendment - Land Reclassification (Amendment No 6)	Advice has been received from Parliamentary Council. S69 report to be sent to Minister for adoption.
Kings Forest (Amendment No 20)	LES and Draft LEP exhibited – Further action deferred in accordance with Council resolution of 13 June 2001.
Seaside City (Amendment No 3)	LES preparation commenced.
Vegetation Management Plan	Subject of separate report to Council concerning the response of the Minister of Lands to Council's preference for preparing its own LEP in conjunction with DLWC.
South Kingscliff Tourism Site DCP	Draft Plan being prepared.
Action Sands, Chinderah, Lot 9 DP 830659 (Amendment No 17).	Alteration of 3(d)4(a) zone boundary to allow for a concrete batching plant. Joint LEP Amendment and DA (including EIS) exhibited.

Reports from Director Development Services

Appendix A - Current Works Program	
Program Item	Progress/Comments
	EIS) exhibited.
Fernvale/Wardrop Valley Industrial (Amendment No 9)	Section 54 has been issued. Detailed geo-technical, flooding and traffic assessment being prepared.
Kingscliff Regional Strategy	In view of the current development initiatives at Kingscliff Council resolved to prepare Strategy. Strategy currently being prepared. The findings of the Centres Study will form part of the Strategy.
Cobaki Lakes (LEP Amendment No 2)	To be undertaken by an appointed consultant at the cost of the applicant. Project brief prepared.
Gales Holdings - Lot 3 on DP 826298, Chinderah, (LEP Amendment No 19)	Deferred area from Tweed LEP 1987, Amendment No 10. Public exhibition completed.
Casuarina Beach - Tourist Facility (Amendment No 18)	LEP Amendment to permit beach facilities. Currently investigating best course of action to deal with matter (LEP amendment or by way of a PoM).
DCP 6 - Multi-Dwelling Housing (Version 2)	Amendment of DCP 6 to make it compatible LEP 2000 and DCP 18. Report on exhibition – to Council meeting 20 June 2001
Black Rocks, Pottsville, Subdivision (120 lots) for urban development purposes.	Council resolved to prepare a Draft LEP. An LES is required. Awaiting proponent's analysis of issues prior to engaging consultant to prepare LES.
Rural Settlement Strategy	A Rural Settlement Strategy has been prepared. This document is currently under Council review. Draft LEP amendments are being prepared for comment by LEP Advisory Committee. The following potential rezonings are reliant on the findings and recommendations of this study: Chiltern Hunt Property Terranora.
Area E	At the last meeting of Council it was resolved that no further funds be expended on the Naponyah Road extension (other than to complete the Environmental Impact Assessment) until the Kirkwood Road/Tweed Heads Bypass access issue is resolved. Any work on the preparation of a draft LEP should await that resolution to ensure that the landowners funds are used to the best advantage.

Reports from Director Development Services

Appendix B - Potential Works Program Projects

Program Item	Progress/Comments
Coolangatta Airport	Operators of the Airport have advised that they wish the LEP to be amended to reflect operational and safety matters. Changes requested are not significant and are consistent with Commonwealth Legislation.
Proposed LEP Amendment Chinderah - Stirling Land	Land is zoned Rural (a) and 7(a) Environmental Protection (Wetland and Littoral Rainforest). Issues regarding this proposal include, Environmental Impact, Highway Service Station provisions in the Act (EPA Model Provisions). Proponent has offered to pay for a consultant to manage the requested draft LEP amendment.
Melaleuca Station, Lot 703, 704, 705, & 707 on DP 1000580, Christiansen - Proposed Service Station.	Land is Zoned Agricultural Protection (b2). Will need to observe Highway Service Station provisions stipulated within the Act. Other issues include REP, S117(2) Direction No.S28, Access, Flooding, ASS, Agriculture Values, Flora and Fauna, Amenity, Location. Proposal may complement already approved Kordic Site.
Lot 9 DP263998, and Lot 10 DP262031, McLeod Street, Condong (Subdivision)	Simple rezoning that will formalise a past subdivision approval.
Tanglewood	The site currently has multiple zones including 1c, 6a, and 2a. It is intended to undertake a complete property review. Issues relating to the site include ASS, Drainage and Flooding, Vegetation, SEPP 44, Sewerage, Access from Highway, Coastal Policy, Ministerial Directions S.117. Awaiting analysis of proponents.
Tweed LEP 2000 Housekeeping	<ol style="list-style-type: none"> 1. Exempt and Complying Development, Signage. 2. Review of dwelling entitlements on minimum size lots. 3. Review of Item 3 land uses in 3c zone (ie. Shops). 4. Rezone small portions of land from 7(l) to 2(a) to correct a drafting anomaly. 5. Land is zoned part 7(d) and part 1(c). Land was zoned from 1(c) to 7(d) during the LEP 2000 process. LEP amendment will correct an anomaly in the plan making process.

Reports from Director Development Services

Appendix B - Potential Works Program Projects

Program Item	Progress/Comments
Sea Breeze Estate, Pottsville	This property was rezoned to residential in 1996 after additional growth was included for it in the RDS in 1992. The RDS only allowed for an additional population of 2,500 around Pottsville. This was taken up by Koala Beach and the expanded Leisure Gardens. The remainder of the property remained zoned 1(d). As part of the negotiations in respect of the DCP for the property, there were discussions as to the zoning of residential areas for further housing and a school site.
Coast Road, Cabarita	Rezoning request to commercial for this property. Similar to a proposal for other properties along Coast Road submitted in respect of draft Tweed LEP 1998, deferred to Stage 2. This matter has yet to be dealt with and will be addressed in the forthcoming work program.
Coronation Avenue, Pottsville	Rezone small area of land between SEPP 14 Wetland and Coronation Avenue from 1(a) to 2c. Primary issues include Coastal Policy, Environment, Agriculture, and the statutory planning requirements.
LEP Amendments - Stage 2	<p>There were a number of draft LEP 2000 submissions to review a number of zonings. Council resolved to include these in Stage 2. These include:</p> <ol style="list-style-type: none"> 1. Cudgen Village (review of rezonings). 2. Review of Environmental Protection Zones, Dalton Street, Terranora (Rezone land from Rural 1(c) to Residential 2(a). 3. Kennedy Drive, Tweed Heads (rezone Commercial). 4. Gales Holdings, West Kingscliff. 5. Church Lane, Murwillumbah - submission to rezone from residential to commercial as part of exhibition of TLEP 2000. Issues to be considered include, mixed land uses, conflicting land uses, access and car parking.
Flood Policy	NSW Flood Plain Management Manual being considered for review of DCP No.5. Any review to reflect ESD principles.

Reports from Director Development Services

Appendix B - Potential Works Program Projects

Program Item	Progress/Comments
Riveroak Drive, Bray Park - Lot 2 DP 830595	Rezoning of land from 6b to 2b to enable a 4 lot subdivision to proceed. Issues include loss of recreational land.
Lot 9 DP 866679, Bakers Road, Byangum	Amendment of Schedule 3 of the LEP to enable the subject parcel of land to have a dwelling entitlement.
Mooball Road, Pottsville – proposed 3(c) Commerce and Trade	Council’s adopted Industrial Policy identified the need for industrial land at Pottsville. This proposal identifies an 18ha property with potential to meet that requirement. Given the limited opportunities for such land in Pottsville, the proposal warrants further analysis.
Bushfire Hazard Control DCP	With the finalisation of the Bushfire Risk Management Plan there is need for an appropriate DCP.
Coastal Hazard Policy	The imminent Coastal Hazard Study will require completion into an appropriate policy framework.
Locality Plans – Fingal, Pottsville, Murwillumbah, Cabarita	Following the successful completion of locality planning for Pottsville, Kingscliff and Tweed Heads, there is a growing urgency for similar treatment to Murwillumbah and Cabarita; and to complete Pottsville with a DCP.

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3. ORIGIN: Development Assessment Unit

FILE REF: GT1/DCP/42 Pt1

REPORT TITLE:

Draft Development Control Plan No. 42- Public Notification Policy

SUMMARY OF REPORT:

Draft Development Control Plan No. 42 – Public Notification Policy detailing what types of development are to be publicly notified and how has been prepared and exhibited. No formal submissions have been received to the exhibition. This Plan has been prepared in response to recent changes in planning legislation. It is recommended that Council adopt the draft Plan which will take effect from the date public notice is given of its decision.

RECOMMENDATION:

That Council:-

1. Pursuant to Section 21 of the Environmental Planning and Assessment Regulation, 2000, approves draft Development Control Plan No. 42 – Public Notification Policy.
2. Council forwards a certified copy of approved Development Control Plan to the Director-General of the Department of Urban Affairs and Planning.
3. Council gives public notice of its decision.

Reports from Director Development Services

REPORT:

Under the provisions of Tweed Local Environmental Plan 1987, developments which were required to be publicly advertised were listed.

These provisions were not carried forward into Tweed Local Environmental Plan 2000 with the exception of developments listed in Item 3 of the zoning tables.

On 1 January, 2001, the Environmental Planning and Assessment Regulation, 2000, came into effect. This Regulation placed a greater emphasis on Councils needing to have in place a development control plan identifying what types of development were required to be publicly notified.

A formal notification policy also provides additional transparency and provides opportunities for public engaged in the development assessment process.

In response Council at its meeting of 4 April, 2001 resolved:-

- “1. Prepares a Development Control Plan for Public Notification of Development Proposals in accordance with Section 72 of the Environmental Planning and Assessment Act, 1979.*
- 2. Exhibits the draft Development Control Plan attached to this report in accordance with Section 72 of the Environmental Planning and Assessment Act, 1979 (as amended) and Regulation.”*

This draft Plan was placed on public exhibition between 3 May 2001 and 31 May 2001. At the conclusion of the exhibition period no submissions had been received directly in response to the exhibition of the Plan.

THE DRAFT PLAN

Attached is a copy of the draft Plan placed on public exhibition, detailing what developments are proposed to be publicly notified.

The Plan will apply to all development in Tweed Local Government area. The Plan identifies two (2) levels of public notification, the first involving the placement of an advertisement in the Tweed Link and letters to adjoining and affected landowners in the immediate area of the development. Second is restricted to letters to adjoining and affected landowners in the immediate area.

The Plan has been written to allow flexibility to allow Council to advertise and notify development at a higher level than prescribed in the Plan should the circumstances warrant. The Plan also details how Council will consider any submissions made.

PUBLIC SUBMISSIONS

No formal submissions were received in response to the exhibition of the draft Plan however, in response to another development application advertised a request was made that Council give consideration to making available copies of development applications on exhibition at the Kingscliff Library, Community Centres and Councils Mobile Library.

Reports from Director Development Services

Difficulty arises regarding these proposals in that qualified staff to answer questions in relation to the application are not available at these locations. This was demonstrated recently when an application was placed on exhibition at the Kingscliff Library. This led to confusion and resulted in many people still visiting the Murwillumbah office to ask questions.

For the above reasons it is recommended that applications only be placed on public exhibition at the Tweed Heads Office and Murwillumbah Office as is the current practice.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

There are no significant implications in adopting this Policy.

CONCLUSION

A draft Development Control Plan has been prepared and placed on public exhibition detailing what types of development are to be publicly notified and how. This Plan has been prepared in response to recent changes in planning legislation. At the conclusion of the public exhibition period, no formal submissions had been received in response to the draft Plan. It is recommended that Council adopt the Plan pursuant to Section 21 of the Environmental Planning and Assessment Regulation, 2000.

Reports from Director Development Services

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Reports from Director Corporate Services

4. ORIGIN: Administration Services Unit

FILE REF: Public Holidays

REPORT TITLE:

Tweed River Jockey Club - Half Day Holiday for Melbourne Cup Race Day

SUMMARY OF REPORT:

A letter has been received from the Secretary of the Tweed River Jockey Club requesting that consideration be given to a half-day holiday for the Melbourne Cup Race Day on Tuesday, 6 November 2001. The letter is reproduced in this report.

RECOMMENDATION:

That Council determines this matter.

Reports from Director Corporate Services

REPORT:

A letter has been received from the Secretary of the Tweed River Jockey Club requesting that consideration be given to a half-day holiday for the Melbourne Cup Race Day on Tuesday, 6 November 2001. The letter is reproduced below for Councillors information:

“The Board of Directors of the Tweed River Jockey Club have requested I write to you asking that consideration be given to a half day holiday being granted for Melbourne Cup day on Tuesday 6 November 2001.

In previous years we have had excellent support from the business houses of Murwillumbah, which has mainly been brought about by them allowing their staff a half-day holiday to support our race meeting. The Melbourne Cup race meeting is our most profitable meeting of the year and we depend upon it for our survival.

There are a considerable number of horses being trained on the Murwillumbah racetrack now, which brings a considerable amount of money into the town.

For many years we have been asking that consideration be given to a half-day holiday to enable people to attend the race meeting. It is hoped that this year you and your Committee will approve our application for such.”

Reports from Director Corporate Services

5. ORIGIN: Financial Services Unit

FILE REF: Financial Reporting

REPORT TITLE:

Financial Report for Period Ending 31 May 2001

SUMMARY OF REPORT:

This report is provided to Council to advise details of monies Council has invested in accordance with Section 625 of the Local Government Act 1993.

RECOMMENDATION:

That the Direct Investments Policy as follows be adopted:

“Investment Institutions/Securities must have a minimum long term credit rating of "BBB-" or short term credit rating of "A2" from Standard & Poors or Moody Investor Services equivalent.

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

Long Term Rating (Standard & Poors)	Short Term Rating (Standard & Poors)	Maximum Percentage Of Total Investments
AAA to AA-	A1+	45%
A+ to A-	A1	40%
BBB+ to BBB-	A2	20%”

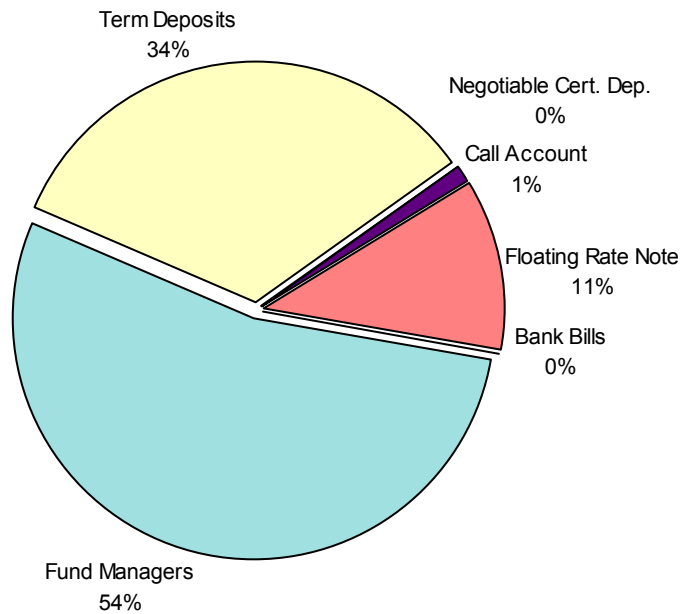
Reports from Director Corporate Services

REPORT:

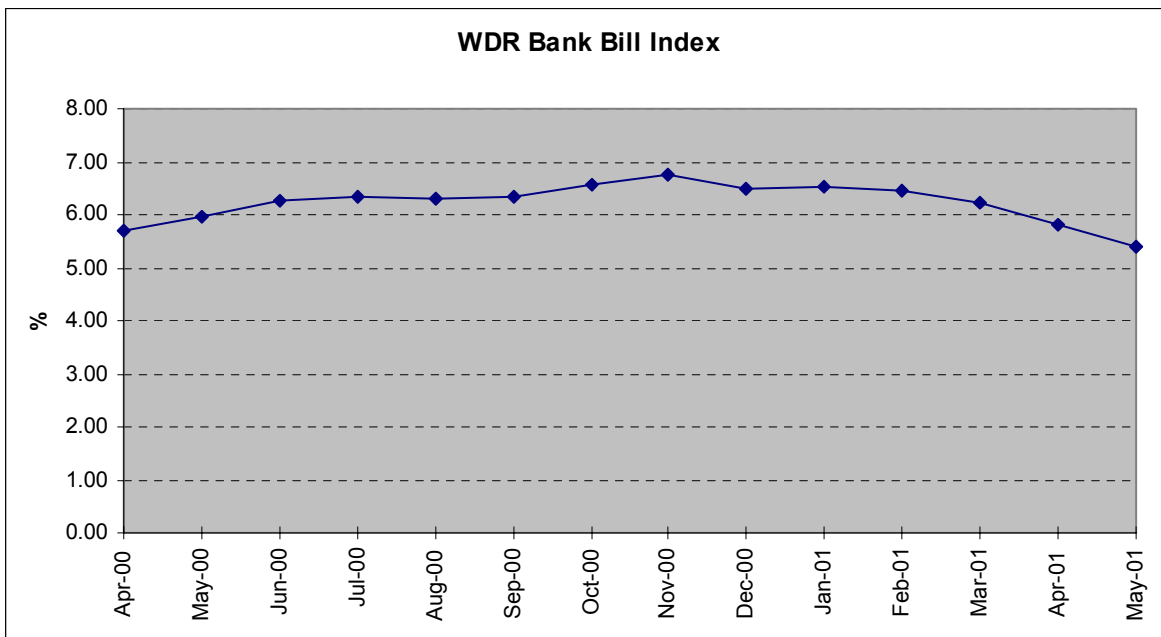
This report is provided to Council to advise details of monies Council has invested in accordance with Section 625 of the Local Government Act 1993.

1. CURRENT INVESTMENT PORTFOLIO BY CATEGORY

% of Funds Invested by Category



2. INVESTMENT RATES - 90 DAY BANK BILL RATE (%)

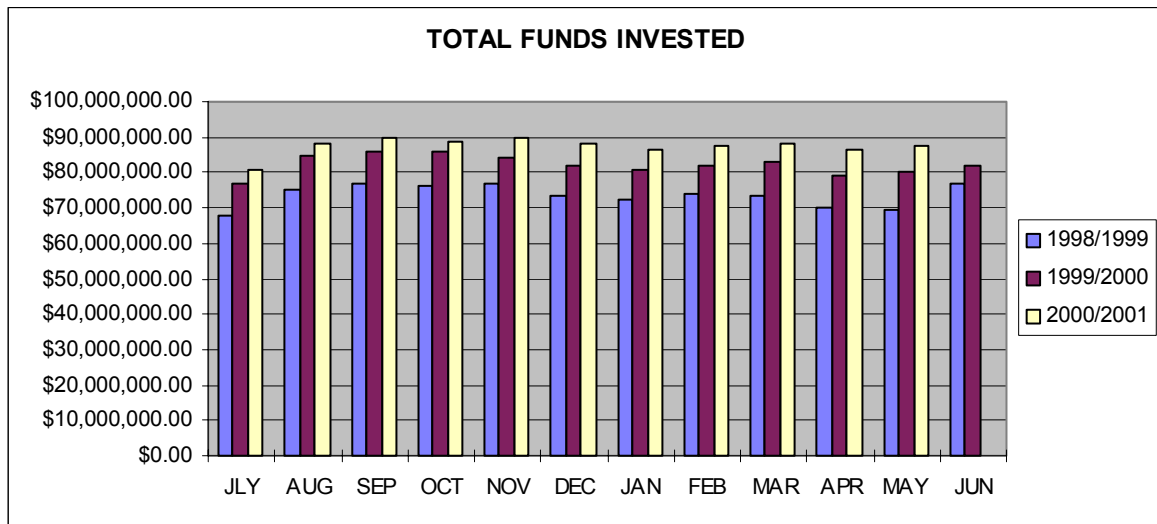


Reports from Director Corporate Services

3. ANNUALISED RATE OF RETURN FOR FUND MANAGERS

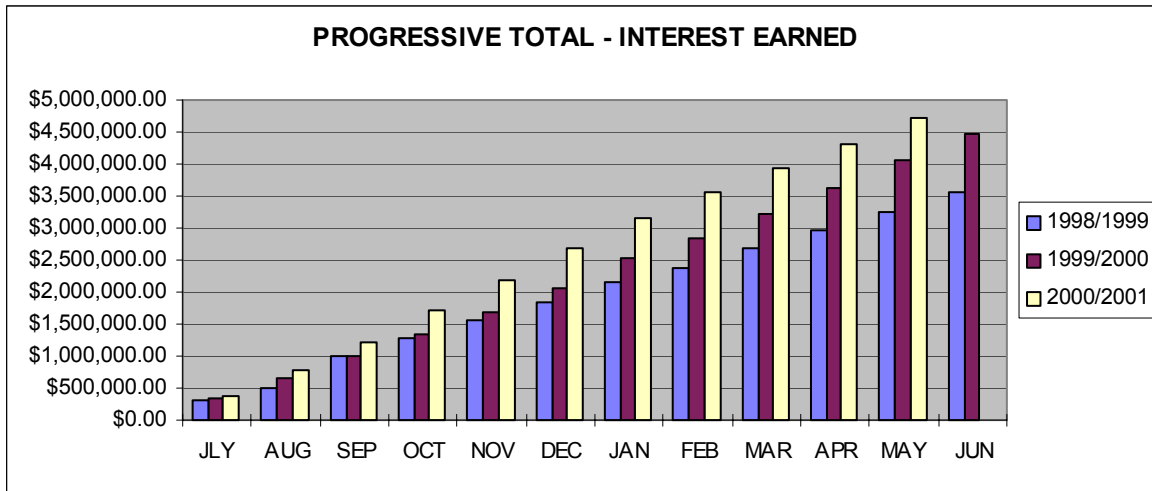
Fund	30 Days %	90 Days %	1 Year %
ANZ	5.36	5.60	6.56
Deutsche	5.35	5.75	6.46
Macquarie Diversified	5.25	5.37	-
National Mutual	4.61	5.55	6.40

4. MONTHLY COMPARISON OF TOTAL FUNDS INVESTED



Reports from Director Corporate Services

5. ANNUAL PROGRESSIVE TOTAL OF INTEREST ON TOTAL FUNDS INVESTED



6. MARKET COMMENTARY

As expected the RBA kept official cash rates on hold in May. In his quarterly statement on monetary policy, Governor MacFarlane suggested that the easing to date should be sufficient to underpin an economic recovery.

Interest rates now appear close to bottoming both domestically and in the US, unless the global economic environment deteriorates further.

7. INVESTMENT SUMMARY AS AT 31 MARCH 2001

GENERAL FUND

BANKS	15,613,625.00	
FUND MANAGERS	4,376,894.72	
LOCAL GOVT. FIN. SERVICES	2,000,000.00	
CALL	907,587.10	22,898,106.82

WATER FUND

BANKS	4,000,000.00	
FUND MANAGERS	26,144,207.90	
LOCAL GOVT. FIN. SERVICES	4,000,000.00	34,144,207.90

SEWERAGE FUND

BANKS	3,556,000.00	
FUND MANAGERS	16,461,382.72	
LOCAL GOVT. INV. SERVICE	10,500,000.00	30,517,382.72

TOTAL INVESTMENTS

87,559,697.44

Reports from Director Corporate Services

8. PROPOSED POLICY CHANGE

EXISTING POLICY

“Direct Investments

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

Long Term Rating (Standard & Poors)	Short Term Rating (Standard & Poors)	Maximum Percentage Of Total Investments
AAA to AA-	A1+	45%
A+ to A-	A1	40%
BBB+ to BBB-	A2	20%

PROPOSED POLICY

Direct Investments

Investment Institutions/Securities must have a minimum long term credit rating of "BBB-" or short term credit rating of "A2" from Standard & Poors or Moody Investor services equivalent.

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

Long Term Rating (Standard & Poors)	Short Term Rating (Standard & Poors)	Maximum Percentage Of Total Investments
AAA to AA-	A1+	45%
A+ to A-	A1	40%
BBB+ to BBB-	A2	20%

COMMENTS

It should be noted that the General Fund investments of \$22.8 million are not available to be used for general purpose expenditure. It is virtually all restricted by legislation and council resolution for such purposes as unexpended loans, developer contributions, unexpended grants and various specific purpose reserves such as domestic waste, land development and employee leave entitlements.

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

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



R R Norvill CPA
Responsible Accounting Officer
Manager Financial Services

Reports from Director Corporate Services

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Reports from Director Corporate Services

6. ORIGIN: Administration Services Unit

FILE REF: Councillors - Conferences

REPORT TITLE:

First International Conference on Regulatory Reform from Monday, 9 July to Friday, 13 July 2001, Sydney

SUMMARY OF REPORT:

Council has received an invitation to attend the First International Conference on Regulatory Reform and Scrutiny of Legislation, which is being held in Sydney from Monday, 9 July to Friday, 13 July 2001. The theme of the Conference will be Re-engineering Regulations and Scrutiny of Legislation for the 21st Century from an International Perspective.

Details of the program and other relevant information are outlined in this report.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Corporate Services

REPORT:

Council has received an invitation to attend the First International Conference on Regulatory Reform and Scrutiny of Legislation, which is being held in Sydney from Monday, 9 July to Friday, 13 July 2001. The theme of the Conference will be Re-engineering Regulations and Scrutiny of Legislation for the 21st Century from an International Perspective.

Details of the program and other relevant information are outlined below:

CALL FOR PAPERS

An invitation is extended to all delegates wishing to present a paper on any related topic to forward a short summary of their paper to the Secretariat.

The deadline for receipt of papers is 1 June 2001.

All papers must be submitted by 1 June 2001 with full payment of registration fees. You will be notified in writing of the time of your presentation prior to the commencement of the conference. All papers received prior to 1 June 2001 will be published as part of the conference proceedings.

Suggested Topics are:

- A history of achievement and failure in world regulatory reform;
- Towards international uniformity in scrutiny principles;
- Regulations pertaining to industrial relations and environment law;
- The rule of law in regulation;
- Regulatory statistics and trends;
- Regulations affecting investment in Australia and overseas companies;
- The future of regulation reform, management and review in Asia;
- The future of regulation reform, management and review in Europe;
- An analysis of Phillip Howard's book "The Death of Commonsense";
- Scrutiny of legislation, a European perspective;
- The scrutiny of legislation within Australia;
- Successful alternatives to regulation;
- Strategies for International Regulatory Co-operation;
- Regulatory regimes that stimulate small business growth on a worldwide and continental basis;
- Is it time to introduce the regulatory budget?
- Measuring the cost of regulatory burdens on private enterprise and employment;
- A moratorium on regulations - a good or bad idea? and
- Intersection of legislation, regulation and ethics.

PROVISIONAL PROGRAM

SUNDAY, 8 JULY 2001

VENUE PARLIAMENT HOUSE, MACQUARIE STREET, SYDNEY

11:00 - 15:00 REGISTRATION

Reports from Director Corporate Services

Greenway Room
Level 7, Parliament House
(Proceed through Legislative Assembly entrance)

EVENING FREE EVENING

DAY 1 – MONDAY, 9 JULY 2001

VENUE NOVOTEL HOTEL, OLYMPIC BOULEVARD, HOMEBUSH BAY

08:45 – 09:15 Coach Pick-up from Conference Hotels

09:00 – 15:00 REGISTRATION
Pre-function Area, Freshwater Ballroom, Level 1, Novotel Hotel

10:30 - 10:45 WELCOME
Freshwater Ballroom, Level 1, Novotel Hotel
Mr Peter R Nagle MP
Chairman - Regulation Review Committee, New South Wales and Chairperson
– Working Group of Chairs and Deputy Chairs of Australian Scrutiny of
Primary and Delegated Legislation Committees.

10:45 – 11:05 OFFICIAL OPENING OF CONFERENCE
Freshwater Ballroom, Level 1, Novotel Hotel
Governor-General of Australia (Confirming)

11:05 – 11:30 KEYNOTE ADDRESS
Topic to be advised
The Hon. Chief Justice Murray Gleeson AC
Chief Justice of the High Court of Australia.

Chair/Facilitator: Mr Peter R Nagle MP
Chairman - Regulation Review Committee, New South Wales and Chairperson
– Working Group of Chairs and Deputy Chairs of Australian Scrutiny of
Primary and Delegated Legislation Committees.

11:30 – 12:00 Future of Regulation and Scrutiny of Legislation in Italy
Senator Franco Bassanini
Minister for Public Affairs, Italy.

Chair/Facilitator: Hon. Janelle Saffin, MLC
Vice-Chairman, NSW Regulation Review Committee, Australia.

12:00 – 14:00 LUNCH (Guest speaker Confirming)

Reports from Director Corporate Services

Pre-function Area adjoining Freshwater Ballroom, Level 1, Novotel Hotel

14:00 – 14:45 When Enough is Enough: The Limits of Regulation-Making Powers

Lord Mayhew of Twysden

Member, Delegated Powers and Deregulation Committee, UK.

Chair/Facilitator: Professor Margaret Allars

Faculty of Law, University of Sydney, Australia.

14:45 – 15:30 The Lost Art of Drawing the Line: How Fairness Went Too Far

Mr Philip K Howard (Confirming)

Noted Author and Senior Corporate Adviser, Covington & Burling, New York, USA.

Chair/Facilitator: Mr Peter Pike MP

Chairman, Deregulation Select Committee, UK.

15:30 – 16:30 TOUR OF OLYMPIC SITE

17:00 – 18:00 Return to Sydney by Rivercat

Boarding from Olympic Wharf

EVENING FREE EVENING

DAY 2 - TUESDAY, 10 JULY 2001

VENUE LEGISLATIVE ASSEMBLY AND LEGISLATIVE COUNCIL
CHAMBERS, LEVEL 7, PARLIAMENT HOUSE, MACQUARIE
STREET, SYDNEY

08:30 – 15:00 REGISTRATION

Greenway Room, Level 7, Parliament House

09:30 – 10:00 Challenges for Australia and the Commonwealth in Regulatory Reform

Mr Gary Banks

Chairman, Productivity Commission, Australia.

Chair/Facilitator: Mr Victor Perton MP

Chairman, Law Reform Committee, Victoria, Australia.

10:00 – 10:30 Scrutiny of Legislation: A Canadian Perspective

Speaker to be advised.

Chair/Facilitator: Hon. Janelle Saffin MLC

Reports from Director Corporate Services

- Vice-Chairman, NSW Regulation Review Committee, Australia.
- 10:30 – 11:10 MORNING TEA
Stranger's Lounge, Level 7, Parliament House
- 11:10 – 11:50 Regulatory Horror Stories – Australian and International
Mr Peter R Nagle MP
Chairman - Regulation Review Committee, New South Wales and Chairperson
- Working Group of Chairs and Deputy Chairs of Australian Scrutiny of
Primary and Delegated Legislation Committees.
- Chair/Facilitator: Mr Philip K Howard**
Noted Author and Senior Corporate Adviser, Covington & Burling, New York,
USA.
- 11:50 – 12:30 The Role of Parliament in Ensuring the Quality of Law and Regulation
Ms Sue Holmes
OECD.
- Chair/Facilitator: Mr Peter R Nagle MP**
Chairman - Regulation Review Committee, New South Wales and Chairperson
– Working Group of Chairs and Deputy Chairs of Australian Scrutiny of
Primary and Delegated Legislation Committees.
- 12:30 – 14:30 LUNCH
Stranger's Dining Room
Level 7, Parliament House
- 14:30 - 17:00 CONCURRENT WORKSHOPS -
- | | |
|--|---|
| WORKSHOP 1 –
Legislative Council Chamber,
Level 7, Parliament House | WORKSHOP 2 –
Legislative Assembly Chamber,
Level 7, Parliament House |
|--|---|
- 14:30- 15:15 Cost Benefit Analysis and
Regulatory Impact Assessment:
An Australian and International
Perspective
- Mr Paul Bek**
Director, Office of Regulation
Review Productivity
Commission, Australia.
- Chair/Facilitator: Hon.**
Malcolm Jones MLC
- Future of Regulation and Scrutiny
of Legislation in Italy – An In-
Depth Perspective
- Mr Luigi Carbone**
Deputy Director, Simplification
Unit, Prime Minister's Office, Italy.
- Chair/Facilitator: Dr Liz**
Kernohan MP
Member, NSW Regulation Review

Reports from Director Corporate Services

	Member, NSW Regulation Review Committee, Australia.	Committee, Australia.
15:15 - 15:45	AFTERNOON TEA Stranger's Lounge, Level 7, Parliament House	AFTERNOON TEA Stranger's Lounge, Level 7, Parliament House
15:45 - 16:30	Continuation of Workshop 1	Continuation of Workshop 2
16:30 - 17:00	Discussion	Discussion
18:30 - 21:30	RECEPTION AND NETWORKING COCKTAIL EVENING Reception Area adjoining Stranger's Dining Room, Level 7, Parliament House	
	Hosted by the Hon. John Murray MP Speaker of the Legislative Assembly and The Hon. Dr Meredith Burgmann MLC President of the Legislative Council.	

DAY 3 – WEDNESDAY, 11 JULY 2001

VENUE	LEGISLATIVE ASSEMBLY AND LEGISLATIVE COUNCIL CHAMBERS, LEVEL 7, PARLIAMENT HOUSE, MACQUARIE STREET, SYDNEY	
08:30 - 17:00	REGISTRATION Greenway Room Level 7, Parliament House	
09:30 - 10:10	United Kingdom Regulatory Reform Bill: Impact on Deregulation Process Mr Peter Pike MP Chairman, Deregulation Select Committee, UK. Chair/Facilitator: Mr Russell Turner MP Member, NSW Regulation Review Committee, Australia.	
10:10 – 10:50	A Review of United States Regulatory Policy	

Reports from Director Corporate Services

Mr John F Morrall III (Confirming)
Office of Management and Budget, Washington DC, USA.

Chair/Facilitator: Mr Luigi Carbone
Deputy Director, Simplification Unit, Prime Minister's Office, Italy.

10:50 – 11:15 MORNING TEA
Stranger's Lounge
Level 7, Parliament House

11:15 – 12:00 National Competition Regulation Policy
Mr Graham Samuel
President, National Competition Council, Australia.

Chair/Facilitator: Mr Peter R Nagle MP
Chairman – Regulation Review Committee, New South Wales and Chairperson
– Working Group of Chairs and Deputy Chairs of Australian Scrutiny of
Primary and Delegated Legislation Committees.

12:00 – 12:45 Work and Achievements of GORR
Mr David M Poletto (Confirming)
Director, New York State Governor's Office of Regulatory Reform, USA.

Chair/Facilitator: Hon. Malcolm Jones MLC
Member, NSW Regulation Review Committee, Australia.

13:00 – 14:00 LUNCH
Stranger's Dining Room
Level 7, Parliament House

14:00 - 17:00 CONCURRENT WORKSHOPS -

**WORKSHOP 1 –
Legislative Council
Chamber, Level 7,
Parliament House**

**WORKSHOP 2 –
Legislative Assembly
Chamber, Level 7,
Parliament House**

**WORKSHOP 3 –
Theatrette, Level 6,
Parliament House**

14:00 - 15:10 Topic to be advised
Mr Paul Bek
Director, Office of
Regulation Review
Productivity
Commission, Australia
and

Why Reinvent the
Wheel When the
Australian Service
Model Works?
Dr Phillipa Tudor
Clerk, Delegated
Powers and

The Role of Parliament
in Ensuring the Quality
of Law and Regulation
- An In-Depth
Perspective.
Mrs Sue Holmes
OECD.

Reports from Director Corporate Services

	<p>Senator Helen Coonan Chairman, Standing Committee on Regulations and Ordinances, Australian National Parliament.</p> <p>Chair/Facilitator: Mr Russell Turner MP Member, NSW Regulation Review Committee, Australia.</p>	<p>Deregulation Committee, UK</p> <p>Chair/Facilitator: Mr Gerard Martin MP Member, NSW Regulation Review Committee, Australia.</p>	<p>Chair/Facilitator: Hon. Don Harwin, MLC Member, NSW Regulation Review Committee, Australia.</p>
15:10 - 15:50	AFTERNOON TEA Stranger's Lounge, Level 7, Parliament House	AFTERNOON TEA Stranger's Lounge, Level 7, Parliament House	AFTERNOON TEA Stranger's Lounge, Level 7, Parliament House
15:50 - 16:30	Continuation of Workshop 1	Continuation of Workshop 2	Continuation of Workshop 3
16:30 - 17:00	Discussion	Discussion	Discussion
19:00 - 23:00	GALA DINNER Strangers' Dining Room, Level 7, Parliament House		

DAY 4 – THURSDAY, 12 JULY 2001

VENUE LEGISLATIVE ASSEMBLY AND LEGISLATIVE COUNCIL CHAMBERS, LEVEL 7, PARLIAMENT HOUSE, MACQUARIE STREET, SYDNEY

09:30 - 16:00 REGISTRATION
Greenway Room, Level 7, Parliament House

10:00 – 16:00 Any delegate wishing to present a paper on any related topics may do so from 1000 to 1600 hours.

Topics open for discussion are:

- A history of achievement and failure in world regulatory reform
- Towards international uniformity in scrutiny principles
- Regulations pertaining to industrial relations and environment law
- The rule of law in regulation
- Regulatory statistics and trends
- Regulations affecting investment in Australia and overseas companies
- The future of regulation reform, management and review in Asia
- The future of regulation reform, management and review in Europe

Reports from Director Corporate Services

- An analysis of Phillip Howard's book "The Death of Commonsense"
- Scrutiny of legislation, a European perspective
- The scrutiny of legislation within Australia
- A successful alternative to regulation
- Strategies for International Regulatory Co-operation
- Regulatory regimes that stimulate small business growth
- Is it time to introduce the regulatory budget?
- Measuring the cost of regulatory burdens on private enterprise and employment
- A moratorium on regulations – a good or bad idea?

EVENING

FREE EVENING

DAY 5 – FRIDAY, 13 JULY 2001

VENUE SYDNEY CONVENTION CENTRE SOUTH, DARLING DRIVE,
DARLING HARBOUR

09:00 - 15:30 REGISTRATION
Level 1, Sydney Convention Centre South, Darling Harbour

10:00 - 10:30 KEYNOTE ADDRESS
Title to be advised
The Hon. J Spigelman
Chief Justice of the Supreme Court of New South Wales, Australia.

Chair/Facilitator: Hon. Janelle Saffin, MLC
Vice-Chairman, NSW Regulation Review Committee, Australia.

10:30 - 10:55 Topic to be advised
International Speaker - World Bank (confirming)

Chair/Facilitator: Hon. Don Harwin MLC
Member, NSW Regulation Review Committee, Australia.

10:55 - 11:20 Citizen Participation in Legislative Rule Making: The Impact of Federalism
and Internationalisation

Professor Margaret Allars
Faculty of Law, University of Sydney, Australia.

Chair/Facilitator: Ms Marianne Saliba MP
Member, NSW Regulation Review Committee, Australia.

11:20 - 11:45 To be advised

Reports from Director Corporate Services

Senator Barney Cooney

Chairman, Standing Committee for the Scrutiny of Bills, Australian National Parliament.

Chair/Facilitator: Mr Gerard Martin MP, Member, NSW Regulation Review Committee, Australia.

11:45 - 12:45 Panel Discussion – Review and Adoption of Conference Proceedings
Panel to be headed by:

Mr Peter R Nagle MP

Chairman - Regulation Review Committee, New South Wales and Chairperson – Working Group of Chairs and Deputy Chairs of Australian Scrutiny of Primary and Delegated Legislation Committees.

Chair/Facilitator: Mr Russell Turner MP
Member, NSW Regulation Review Committee, Australia.

12:45 - 13:15 CLOSING ADDRESS
Her Excellency Professor Marie Bashir AO
Governor of New South Wales.

Chair/Facilitator: Dr Liz Kernohan MP
Member, NSW Regulation Review Committee

13:15 – 15:15 Lunch
15:15 CLOSE OF CONFERENCE

REGISTRATION INFORMATION

	Before 31.05.01	After 31.05.01
Full Delegate	\$600	\$750
Monday Delegate	\$150	\$170
Tuesday Delegate	\$150	\$170
Wednesday Delegate	\$150	\$170
Thursday Delegate	\$150	\$170
Friday Delegate	\$150	\$170

Reports from Director Corporate Services

ACCOMMODATION

Hotel Intercontinental Sydney	\$215-\$255
Medina Classic Apartments	\$135-\$165
Sir Stamford at Circular Quay	\$270-\$285
The Wentworth	\$160-\$180

Reports from Director Corporate Services

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Reports from Director Corporate Services

6a. ORIGIN: Director

FILE REF: Conference – General, Council - Management

REPORT TITLE:

Local Government Management Association New South Wales Division 2001 Annual Conference

SUMMARY OF REPORT:

The peak association for Local Government Management – Local Government Management Association is to hold its NSW Division 2001 Annual Conference in Sydney between the 8 and 11 August 2001. The theme of this years conference is “It’s Magic! Management Innovation in the New Century”. The conference is to be held at the Sydney Convention and Exhibition Centre, Darling Harbour from the 8 to 11 August 2001.

The conference topics have value to both management and elected representatives.

RECOMMENDATION:

That Council support elected representatives who have expressed an interest to attend the conference.

Reports from Director Corporate Services

REPORT:

This year the Local Government Management Association Annual Conference is to be held at Darling Harbour Convention and Exhibition Centre from the 8 to 11 August 2001. The New South Wales Divisional Conference will be based on the theme "Management Innovation in the New Century". A number of prominent and international experts will be presenting papers addressing such topics as "Leadership in times of Change", "Reflections on Managing the Greatest Show on Earth", "Local Government Structures in the New Century" and "Legal Issues for the Next Century – Conjuring up Magic Answers to Vexatious Problems".

Past Annual Conferences have been rated of value to both management and elected representatives.

FINANCIAL IMPLICATIONS

Conference registration package – Corporate (5 delegates) \$2,875.00 plus cost of travel to and from Sydney and accommodation for three days together with meals estimated at \$900.00 per attendee.

Early Bird conference registration package – Corporate (5 delegates) \$2,675.00 plus cost of travel to and from Sydney and accommodation for three days together with meals estimated at \$900.00 per attendee.

Early Bird discount applications close on 29 June 2001.

Reports from Director Engineering Services

7. **ORIGIN:** Works Unit

FILE REF: Works Program – 2001/2002

REPORT TITLE:

Works Program - 2001/2002

SUMMARY OF REPORT:

Submitted for Council's consideration is the 2001/2002 Works Program. The Program includes the balance years for the Roads to Recovery Program as well as the proposed future works.

RECOMMENDATION:

That the 2001/2002 Works Program as submitted be adopted

Reports from Director Engineering Services

REPORT:

The proposed 2001/2002 Works Program is submitted for Council's consideration. The urban and rural construction program again rely on preserving the existing asset and are based on the Pavement Management System as well as other factors such as traffic volumes, drainage problems and safety.

The Roads to Recovery Program has significant funding devoted to the sealing of gravel roads.

Also included is an advanced program for the rehabilitation works, which includes the asphalt re-sheeting of urban streets that still have good pavement and shape but a poor surface. This work has provided significant benefit to Council over the past 8-10 years.

1. Urban Street Construction

2001/2002	\$1,819,665
Concrete Footpaths	75,000
Ewing Street – Murwillumbah	209,665
Broadwater Esplanade – Bilambil Heights	180,000
Lakeview Terrace – Bilambil Heights	200,000
Waterloo Street – Murwillumbah	85,000
Wattle Street – Bogangar	80,000
Bawden Street – Tumbulgum	120,000
Crescent Street – Cudgen	110,000
Roberta Crescent – Bilambil Heights	140,000
Old Ferry Road – Oxley Cove	284,000
Condong Street – Murwillumbah	130,000
Moss Street – Kingscliff	60,000
Hastings Road – Bogangar	36,000
Murwillumbah Street – Murwillumbah	110,000

2002/2003

Concrete Footpaths	River Terrace
Bawden Street	Walsh Street
Ewing Street	Myrtle Street
Condong Street	Sunnyside Lane
Panorama Drive	Grevillea Street
Gray Street, Tumbulgum	Marshall Road, Uki
Peninsula Drive	Queen Street, Fingal
Banora Terrace	

Reports from Director Engineering Services

2003/2004

Concrete Footpaths
 Cominan Avenue
 Coral Street
 William Street
 McAllisters Road Intersection
 Mitchell Street, Uki
 Reynolds Street, Murwillumbah
 Peninsula Drive
 Old Ferry Road, Murwillumbah
 Altair Street
 Elanora Avenue
 Wollumbin Street, Tyalgum

2004/2005

Concrete Footpaths
 Broadwater Esplanade
 Seaview Road
 Rutile Street
 Quarry Road
 Lundberg Drive
 Condong Street
 Fern Street
 Lalina Avenue
 Parry Street
 Towners Avenue
 Proudfoots Lane

2005/2006

Concrete Footpaths
 Broadwater Esplanade
 Orient Lane
 Nullum Lane
 Wentworth Lane
 Buckingham Drive
 Edward Avenue
 Nullum Street

2. Rural Road Construction

2001/2002

	\$1,242,600
Gravel Re-sheeting	82,600
Duranbah Road	100,000
Clothiers Creek Road	250,000
Leddays Creek Road	140,000
Stokers Road	130,000
Smiths Creek Road	105,000
Tumbulgum Road	135,000
Cane Road	100,000
Carool Road	100,000
Burringbar Road	100,000

2002/2003

Gravel Re-sheeting
 Cane Road

2003/2004

Gravel Re-sheeting
 Leddays Creek Road

Reports from Director Engineering Services

Stokers Road
 Dulguigan Road
 North Arm Road
 Cudgera Creek / SH10
 Pottsville Road
 Brays Creek Road
 Cudgen Road
 Carool road

Carool Road
 Duranbah Road
 Cudgen Road
 Nobbys Creek Road
 North Arm Road
 Round Mountain Road
 Pottsville Road
 Zara Road

2004/2005

Gravel Re-sheeting
 Cobaki Road
 Eviron Road
 Clothiers Creek Road
 Dulguigan Road
 North Arm Road
 Cudgera Creek Road
 Burringbar Road
 Pottsville Road

2005/2006

Gravel Re-sheeting
 Upper Crystall Creek road
 Duranbah road
 Yugari Road
 Racecourse Road
 Eviron Road
 Cobaki Road

□

3. Roads to Recovery Program

2001/2002

	\$986,559
Survey & Design	34,559
Reserve Creek Road – Woodfords Road to Round Mountain Road	150,000
Rowlands Creek Road – complete seal	185,000
Farrants Hill Road	230,000
Hogans Road	100,000
Reserve Creek Road – complete hill reconstruction	200,000
Ewing Street – Queen Street to Hospital	87,000

2002/2003

Survey & Design
 Limpinwood Valley Road
 Byrrell Creek Road
 Minnows Road

2003/2004

Survey & Design
 Commissioner Creek Road
 Tyalgum Creek Road
 Reserve Creek Road

4. Federal Assistance Grant

2001/2002

	\$1,450,000
Piggabeen Road (Stage 1)	500,000
Tyalgum Road (Oxley House to floodway)	200,000
Kyogle road	200,000

Reports from Director Engineering Services

Fingal Road	400,000
Advanced Survey and Land Acquisition	150,000
<u>Additional FAG Funding</u>	
Urliup Road – sealing end of bitumen to bus turnaround western end	177,000
2002/2003	2003/2004
Advanced Survey & Land Acquisition	Advanced Survey & Land Acquisition
Piggabeen Road (complete)	Tyalgum Road
Fraser Drive	Clothiers Creek Road (range)
Fingal Road	Chillingham Road
Kyogle Road	
5. REPAIR Program (State Grant)	
2001/2002 Kyogle Road	\$203,000
2002/2003 Kyogle Road	\$203,000
6. Bridge Replacement	
2001/2002	\$1,000,000
Harts Bridge – Upper Crystal Creek	350,000
Boat Harbour Bridge (start)	600,000
Handrail Replacement	50,000
2002/2003	2003/2004
Boat Harbour Bridge (complete)	Byangum Bridge
7. Drainage	
2001/2002	\$600,000
Lavender Creek	100,000
Crescent Street	80,000
Lakeview Terrace	100,000
Healey Lane, Fingal	50,000
Coronation Avenue	10,000
Advocate Place	25,000
Charles Street	70,000
Hall Drive	15,000
Wyuna road	20,000

Reports from Director Engineering Services

Crabbes Creek Road	10,000
Raward Avenue	20,000
Hogans Road	15,000
Waranga Crescent	15,000
Murwillumbah Street	45,000
Megan Street	30,000

Reports from Director Engineering Services

2002/2003

Machinery Drive
Wommin Bay Road

2003/2004

Wommin Bay Road
Murwillumbah (Main) Street

2004/2005

Murwillumbah Main Street

8. Rehabilitation Program

2001/2002

Murwillumbah

Colonial Drive	15,500
McLeod Street	24,500
Wardrop Lane	3,200
Smith Street	4,200
River Street	16,400

\$238,500

Tweed Heads

Caloola Drive	20,000
Bambaroo Crescent	17,900
Camira Court	2,200
Honeysuckle Street	6,250
Morley Street	5,150
Anconia Avenue	14,000
McAllister Road	33,500

Tweed Coast

Marine Parade	19,500
Cabarita Road	18,700
Cypress Crescent	15,700
Poinciana Avenue	1,900
Phillip Street	4,000

Banora Point

Glenys Street	5,800
Marie Street	3,900
Ocean Avenue	3,200
Seaview Street	3,000

Reports from Director Engineering Services

2002/2003

Murwillumbah

Bellevue Avenue
Durroon Avenue
Elouera Terrace

Tweed

Wyuna Road
Blue Waters Crescent
St Kilda Crescent
Inlet Drive
Gull Place
Simpson Drive
Terranora Parade
Yvonne Crescent

Tweed Coast

Marine Parade
Lighthouse Parade
Fingal Road
Pacific Street
Zephyr Street
Orient Lane

Banora Point

Boyle Avenue
Walter Crescent
Echuca Crescent
James Cook Drive
Mibbin Parade
Peter Street
Admiralty Place
Commodore Court
Midship Court
Seafarer Place
Leisure Drive

Terranora

Figtree Road
Shamara Road

9. Footpaving and Cycleway Construction Program 2001/2002

In an endeavour to maximise the benefit of the funds available, detailed plans have been prepared for all urban areas within the Shire locating all existing concrete footpaving and cycleways.

This has allowed a planning approach to be taken when determining the proposed construction program which also takes into account the requests for footpaving submitted to Council by residents.

The factors considered when reflecting the recommended projects are:

1. Volume of pedestrian using the facility.
2. How the project links to areas of high pedestrian activity (shops, schools, beaches etc).
3. Safety issues.
4. How the project links to the existing network.

The following projects requests have been prioritised based on the criteria previously discussed.

It should be noted that these projects rated 1 to 3 generally meet the selection criteria and form part of the overall network.

Reports from Director Engineering Services

The following projects are listed for construction in the 2001/2002 financial year.

2001/2002

Footpaving

Moss Street	Extension to Sutherland Street - 95m	\$6,000
Byangum Road	570m	\$27,000
Terranora Road	Banora Hills Drive to Johnson Street – 255m	\$9,500
Kennedy Drive	West of 2 nd Avenue – relocate retaining wall to widen path	\$7,000
Terranora Road	Henry Lawson Drive to the Terranora Store – 166m	\$7,500
Ti Tree Avenue	670m	\$25,000
Elizabeth Street	A link from Pottsville Waters to the CBD – 435m	\$16,000
Minjungbal Drive	Parry Street to Heffron Street – 180m	\$7,000
Old Ferry Road	650m	\$20,000
Boomerang Street	170m	\$6,300
Quiggan Street	120m	\$4,500
Cudgen Road	250m	\$9,200
General	lengths less than 20m and pram ramps	\$10,000

Cycleways

Marine Parade	Turnock Street to Carpark	\$57,000
Coast Road	Hastings Point Bridge widening and approaches	\$88,000
Kyogle Road	Riveroak Drive to Park Ave/Park Ave to Ray Street	\$8,400

The following table lists all the unfunded requests made to Council for footpaving and are provided for Council's information. These requests will be considered in future work programs.

REQUESTS FOR FOOTPATHS & CYCLEWAYS				
13/06/2001				
Priority	Location / Description	Est.Cost	Comment	Status
1	Moss Street extension 95m * 1.2	\$6,000.00	Links Sutherland Street to creek area	2001-02
1	Byangum Road 570m * 1.2	\$21,000.00	Makes this area safe for school children and public	2001-02
1	Terranora Road 255m * 1.2	\$9,500.00	Links existing path to Johnson Street and school	2001-02
1	Kennedy Dr widen corner at Second Ave	\$7,000.00	Dangerous area some disabled people are forced onto Kennedy Drive due to path narrowing	2001-02
1	Terranora Road 166m * 1.2	\$7,500.00	Henry Lawson Dr to the Terranora Store	2001-02

Reports from Director Engineering Services

REQUESTS FOR FOOTPATHS & CYCLEWAYS				
13/06/2001				
1	Ti Tree Ave Bogangar 670m * 1.2	\$25,000.00	Important link to New school area	2001-02
1	Elizabeth Street Pottsville 435 * 1.2	\$16,000.00	Will link Pottsville Waters area to CBD	2001-02
1	Minjungbal Drive	\$7,000.00	Links Parry to Heffron Street an important link to school in Heffron Street	2001-02
1	Old Ferry Road 650m * 1.2	\$20,000.00	Terranora Road to bottom of hill section	2001-02
1	Boomerang Street 170m * 1.2	\$6,300.00	Missing links through to Quiggan Street	2001-02
1	Quiggan Street 120m * 1.2	\$4,500.00	Link to Library	2001-02
1	Cudgen Road 250m * 1.2	\$9,200.00	Continuation to Library	2001-02
1	Numinbah Rd bridge to school 165 * 1.2	\$7,600.00	Would provide safe access to school in this narrow area	
1	Wommin Bay Road Phillip St to Sand Street – 294 metres 2.5 wide	\$20,580.00	Extends existing cycleway from Sand Street is outside paving program and is considered as part of cycleway program	
1	River Street - school to Smith Street – 170 metres	\$6,200.00	Links the school BUS STOP to the school	
1	Byangum Road		From existing path to Barnby Street	
1	Terranora Road		From Johnson Street to S.H.10	
2	Westray Avenue		Part of the network in Banora Point	
2	Cominan Avenue		Part of the network in Banora Point	
2	Toolona Avenue		Part of the network in Banora Point	

Reports from Director Engineering Services

REQUESTS FOR FOOTPATHS & CYCLEWAYS					
13/06/2001					
2	Glen Ayr Drive - 200metres to Ash Drive	\$11,200.00	Links Glen Ayr Drive residents with Ash Drive Shopping Centre and Medical Centre		
2	Ash Drive - Glen Ayr Drive to Amaroo Drive - 500 metres	\$30,800.00	Links Glen Ayr Drive residents with Ash Drive Shopping Centre and Medical Centre		
2	Thompson Street 176 * 1.2	\$7,603.20	Missing links between unit development		
2	Beach Street Kingscliff St to Mpde 62 * 2.5	\$6,180.00	Completes link to foreshore cycleway walkway		
2	Coast Rd Tamarind St to Rosewood Ave	\$2,200.00	Completes link between Tallowood Avenue and shops		
2	Wattle Ave 130 * 1.2	\$5,916.00	Completes link between Tallowood Avenue and shops		
2	Oleander Ave 34 * 1.2	\$1,668.00	Completes link between Tallowood Avenue and shops		
2	Walkway to Banksia Ave 87 * 1.2	\$4,058.40	Completes link between Tallowood Avenue and shops		
3	Fraser Drive - Covent Gardens Way to Glen Ayr Drive 1700 meters	\$77,000.00	Eventually links to network and sporting fields.		
3	River Street - Greville Street to Colin Street, 350 metres	\$14,000.00	Links the school to the CBD		
3	Castlecrag Avenue to Gleneagles Place, 75 metres	\$3,400.00	Check on site.		

Reports from Director Engineering Services

REQUESTS FOR FOOTPATHS & CYCLEWAYS				
13/06/2001				
3	Wommin Bay Road Chinderah Bay Dr to Phillip Street 315 metres 2.5 wide	\$22,050.00	Would complete cycleway from Marine Parade to Chinderah Bay Drive considered under c/way program	
4	Pacific Highway South Murwillumbah Greenhills Lodge to Smith Street, 200 metres	\$100,000.00	Involves significant earthworks and retaining and is outside to scope of paving program	
4	Pearl Street (eastern side) – Turnock Street to Kingscliff Street, 420 metres	\$19,000.00	Exists on west side.	
4	Dry Dock Road (south side)		Walkway exists on northern side.	
4	Enid Street Tweed Heads		Footpath exists (west side) from Florence Street to Frances Street and (east side) from Frances Street to Bay Street	
4	Kyogle Road Hardings office around corner towards sports fields 100 metres 20 of timbered boardwalk 80 1.2 wide guard rail required around corner	\$16,000.00	Involves guardrail and bridgework and is outside the scope of paving program however \$8400 for concrete paving can be provided towards this project. The remainder to be funded by the Works Unit	
4	Hastings Road	\$25,000.00	Banksia Ave to Rosewood Ave	
5	Botany Crescent (north side) – 100 metres	\$4,100.00	Cul-de-sac street - low traffic volumes is kerbed with good grassed nature strip	
5	Yale Street, from school to Cudgen Road, 250 metres	\$11,200.00	Footpaving already exists in Oxford Street. Footpaving and walkway exists from Yale Street cul-de-sac to the school	
5	Parkes Lane from Fraser Drive 385 metres west 1.2 wide	\$12,936.00	Is a cul-de-sac road with low traffic volumes.	

Reports from Director Engineering Services

REQUESTS FOR FOOTPATHS & CYCLEWAYS				
13/06/2001				
5	Peninsula Drive Roberta Cres to Inlet Walkway 980 metres 1.2 wide	\$132,928.00	Would involve major earth works and retaining walls and is outside scope of paving program	
5	Broadwater Esplanade Terranora Terrace to the Lake 735 metres *1.2	\$98,000.00	Would involve major earth works and retaining walls and is outside scope of paving program	
5	Lakeview Terrace Terranora Terrace to the Lake 560 metres 1.2 wide	\$40,000.00	Involves significant earthworks and retaining walls and is outside scope of paving program	
5	Murphy's Road Kingscliff		Would link aged Hostel to walkway in Wommin Bay Road	
5	Gleneagles Place to Castlecrag			
5	Alexander Ct west side to Soorley St			

Reports from Director Engineering Services

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Reports from Director Engineering Services

8. ORIGIN: Planning & Design Unit

FILE REF: R3570, Street Naming

REPORT TITLE:

Naming of a Public Lane Between Moss Street and Cudgen Creek at Kingscliff

SUMMARY OF REPORT:

Following the interim adoption of the name “Clough Way” for the unnamed public lane between Moss Street and Cudgen Creek at Kingscliff only one submission was received during the one month period allowing public comment. This submission has been relinquished providing that the name “Donnan” be adopted for a future street at Kingscliff.

RECOMMENDATION:

That :-

1. Council formally adopts “Clough Way” as the name of the unnamed public land between Moss Street and Cudgen Creek at Kingscliff.
2. The name be gazetted under the provisions of the Roads (General) Regulation, 1994 and the Roads Act 1993, and
3. The name “Donnan” be accepted as a suitable name for a future street in Kingscliff.

Reports from Director Engineering Services

REPORT:

Council at its meeting held on 18 April 2001 resolved:-

“That Council proposes the name “Clough Way” as an interim measure for the purpose of publicising the proposal and allowing one month for objections or other submissions.”

Only one submission was received that being an objection from Mrs Nola Snowdon (grand-daughter of John Donnan) who wrote:-

“I am lodging my objection to the naming of this lane way as “Clough Way”.

I would like to bring to Council’s attention that the original owner of the property adjoining the laneway in question was Mr John Donnan who with his wife and unmarried son (a former Rat of Tobruk and member of the Kingscliff RSL) purchased the land and built on it in 1940, it was one of the first residences in Moss Street. The Donnan’s resided there for nearly 40 years.

Mr Donnan was one of the Tweed’s early pioneers. He established a farm at Burringbar in 1903 which remained in the family for 70 years. Also Mrs Donnan was the daughter of another of the Tweed’s pioneer families – the Harrys.

I feel it would be more appropriate to name the laneway as “DONNAN WAY” in appreciation of the contribution made by this family to Kingscliff and the Tweed District.

The applications for “Clough Way” and “Donnan Way” appear to be of equal merit.

Nola Snowdon was personally contacted regarding her submission and agreed to relinquish her claim on the proviso that the name “Donnan” will be adopted as a priority name for a future street within Kingscliff.

Reports from Director Engineering Services

9. ORIGIN: Planning & Design Unit

FILE REF: DA0863/10 Pt1 - Easements

REPORT TITLE:

Release of Restriction on Use of Lane - Lot 3 DP868950 Bush Cherry Drive, Cobaki

SUMMARY OF REPORT:

An application has been received requesting Council's approval to releasing a "Restriction on Use of Land" in accordance with Development Consent No. 0499/2000 thereby allowing a replacement restriction within a proposed boundary adjustment.

RECOMMENDATION:

That :-

1. Council approves the release of the Restriction on Use of Lane and regards to Lot 3 DP 868950 in accordance with condition 8 of Development Consent No. 0499/2000, and
2. All necessary documentation be executed under the Common Seal of Council.

Reports from Director Engineering Services

REPORT:

B & P Surveys, Consulting Surveyors, have applied to council (on behalf of the owners of Lot 3 DP 868950 at Bush Cherry Drive, Cobaki) to release a "Restriction on Use of Land" in accordance with condition 8 of Development Consent No. 0499/2000 being a proposed boundary adjustment of the subject land.

The restriction is in conflict with the existing building envelope being truncated by the boundary adjustment and its release will enable the creation of a replacement restriction wholly within the new boundary.

As Council is the benefiting party it will be necessary for the Section 88B Instrument to be executed under seal.

Reports from Director Engineering Services

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10. ORIGIN: Water Unit

FILE REF: Southern Boat Harbour, Master Boating Plan, Boating

REPORT TITLE:

Commercial Cruise Boat Marina Facility - Southern Boatharbour Tweed Heads

SUMMARY OF REPORT:

A detailed submission has been received from the Tweed River Charter Operators Association seeking Council's "in principle" approval of the provision of a Marina facility in the Southern Boatharbour to cater for commercial boating operations and Council guaranteeing a commercial loan to finance the project. A copy of the submission accompanies the confidential section of this business paper. The Association has requested that the financial details of their proposal remain confidential.

RECOMMENDATION:

That Council:-

1. Seeks valuations of the likely commercial returns from a Commercial Cruise Boat Marina Facility, as proposed by the Charter Operators Association, and a report be prepared for Council's consideration on the feasibility of such a facility being developed and operated by Council.
2. Prepares and lodges a Development Application for the facility in consultation with the Association.

Reports from Director Engineering Services

REPORT:

A detailed submission has been received from the Tweed River Charter Operators Association seeking Council's "in principle" approval of the provision of a Marina facility in the Southern Boatharbour to cater for commercial boating operations and Council guaranteeing a commercial loan to finance the project. A copy of the submission accompanies the confidential section of this business paper. The Association has requested that the financial details of their proposal remain confidential.

The proposal by the Association for the jetty facility is generally consistent with the Plan of Management for the Southern Boatharbour and the perceived needs of Commercial operators. The proposed facility provides up to 18 berths, 2 of which would remain public. The proposal will provide a much needed focal point for tourist orientated commercial boating operations in Tweed Heads.

Part of the structure will be accepted by NSW Waterways Authority as a public jetty and is therefore eligible for \$1 for \$1 funding. The proposal submitted assumes a cost of approximately \$60,000 for this public component that would attract a grant of \$30,000. The actual public component is currently being discussed with staff from NSW Waterways and could vary slightly from that assumed in the proposal.

The submission indicates that the proposal is financially viable, hence the Associations request for Council to be guarantor for a commercial loan to finance the project. The submission raises the option of Council developing and operating the facility as an alternative. In view of suggestions from Officers in the Department of Land & Water Conservation that Council should ultimately maintain and manage the Southern Boatharbour, it is considered desirable to further investigate the viability and desirability of Council accepting responsibility for the project.

Advice has been received that Council developing the facility will have the support of the Association, provided that the future management is via a management committee on which the Charter Operators are represented.

If the facility is to proceed, either under the control of Council or the Association, it is considered desirable that any Development Application be held by Council as the lease of the site. This can proceed concurrently with the determination of who should develop and manage the facility.

Reports from Director Environment & Community Services

11. ORIGIN: Environment & Health Services Unit

FILE REF: Leases – Council Ppty

REPORT TITLE:

Proposed Lease to Tweed Heads Amateur Fishing Club - Dry Dock Road

SUMMARY OF REPORT:

The above Club has sought Council's assistance to find a new site for a clubhouse following the expiry of its current lease in the southern boat harbour. Several sites have been investigated and it is considered the most appropriate site is on the western side of the boat house, owned by the Tweed River High School in Dry Dock Road, just west of the Dry Dock.

RECOMMENDATION:

That Council:

1. Agrees to entry into a 5 year lease with a further year option with the Tweed Heads Amateur Fishing Club for use of part of Dry Dock Road located on the western side of the existing Tweed River High School boat shed, subject to the Club obtaining all necessary approvals.
2. Completes all necessary documents under the Common Seal of Council.

Reports from Director Environment & Community Services

REPORT:

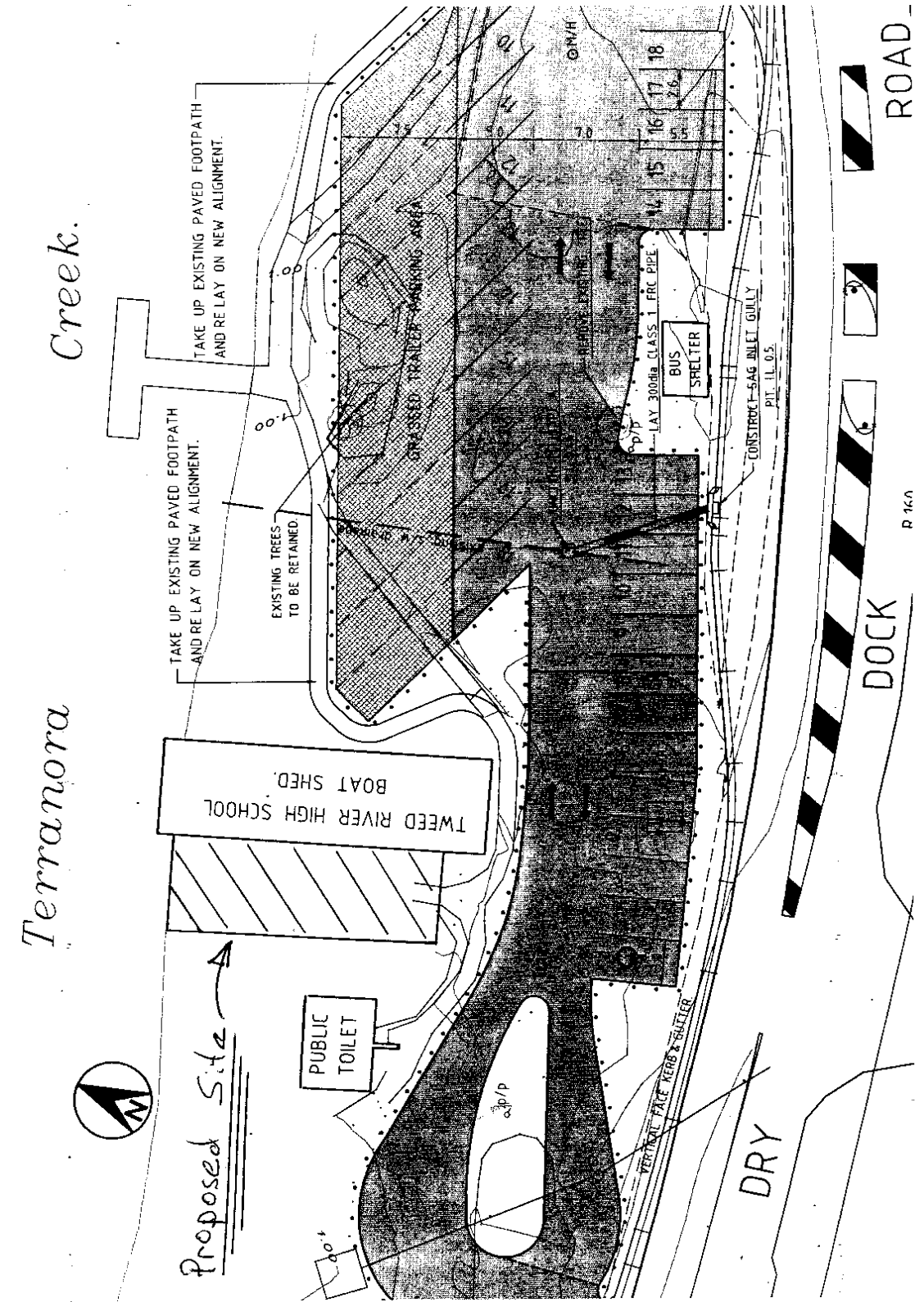
Council has been approached by the Tweed Heads Amateur Fishing Club for assistance to provide land for a new clubhouse. This is because the lease on their existing premises, located in the southern boat harbour has expired and they have been advised by the Department of Land and Water Conservation that the site is required for the construction of a new combined boat premises for various government departments.

A number of sites have been considered, including Pioneer Park off Kennedy Drive, Keith Curran Park, near the Anchorage, an area near the tick gates and an area next to the existing boat shed owned by the Tweed River High School in Dry Dock Road.

The area considered most suitable is that on the western side of the existing boat shed used by Tweed River High School. This is because there are public toilets in the same area, the proposed building will be single storey and of similar design to the existing building and the Fishing Club use on a weekend will not interfere with the schools rowing activity. The school has been consulted about the proposal and raises no objection and in fact sees a benefit of an additional presence in the area on weekends.

The land proposed for the use is part of Dry Dock Road and accordingly it is recommended that Council agree to lease the site to the Fishing Club subject to the Club obtaining all necessary approvals. The Club have requested a 20 year lease with a similar option to provide some certainty into the future.

Reports from Director Environment & Community Services



Reports from Director Environment & Community Services

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Reports from Director Environment & Community Services

12. ORIGIN: Environment & Health Services Unit

FILE REF: Government Grants – Community Options

REPORT TITLE:

Provision of Additional Funding

SUMMARY OF REPORT:

The Department of Aging, Disability and Home Care have advised that the funding provided under the Home and Community Care Program (Community Options) has been increased by \$8,445.00.

In order to secure these funds it is necessary for Council to resolve to accept this funding increase and vote the expenditure thereof.

RECOMMENDATION:

That Council:

1. Accepts the additional funding of \$8,445.00 and votes the expenditure accordingly.
2. Completes all necessary documents under the Common Seal of Council.

Reports from Director Environment & Community Services

REPORT:

The Department of Aging, Disability and Home Care have advised that the funding provided under the Home and Community Care Program (Community Options) has been increased by \$8,445.00:

In order to secure these funds its is necessary for Council to resolve to accept this funding increase and to vote the expenditure thereof.

Reports from Director Environment & Community Services

13. ORIGIN: Environment & Health Services Unit

FILE REF: 4640.20, Noxious Pests

REPORT TITLE:

Request for Assistance - Tweed Bridge Club/Twin Towns Playgroup - Termite Damage

SUMMARY OF REPORT:

The Tweed Bridge Club/Twin Towns Playgroup who share a building, located on the Recreation Ground at Tweed Heads have requested financial assistance for termite treatment to the entire building.

They have requested Council fund 50% of the treatment, estimated to be \$9,000.00. Both Clubs will incur additional costs for repair associated with termite damage.

RECOMMENDATION:

That Council funds 50% of the treatment cost for the Tweed Bridge Club/Twin Towns Playgroup shared building from the annual budget adjustment for Council property maintenance.

Reports from Director Environment & Community Services

REPORT:

A letter, as set out below, has been received requesting Council's assistance for the cost of termite control for premises located within the recreation ground at Tweed Heads:

Reports from Director Environment & Community Services

TWEED BRIDGE CLUB
TWIN TOWNS PLAY GROUP

1 May 2001

PO Box 106
Tweed Heads 2485

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

NOXIOUS PESTS

TWEED SHIRE	FILE No. 4640-20
DOCUMENT No.	REC'D - 3 MAY 2001
BOX No.	ASSIGNED TO EDWARDS G
HARD COPY <input type="checkbox"/>	IMAGE <input checked="" type="checkbox"/>

Dear Sir,

Representatives of the Tweed Bridge Club, the Twin Towns Playgroup and Council representative Mr. G. Edwards met at the Bridge Club on Tuesday 1 May to discuss termite treatment for the building occupied by both bodies.

The cost of control has been suggested to exceed \$9000 as quoted by Tedmans.

The Playgroup and the Bridge Club have agreed to put this joint submission to Council wherein we seek help from the Council towards this expense.

We ask that if the Council would provide 50% of the cost, the balance would be shared 2/3 Bridge Club and 1/3 Playgroup.

The Bridge Club has considerable extra expense in repairing and or replacing the eastern wall of the kitchen in its section. This is the only framed wall in that part and it has been badly damaged. The Playgroup expects a similar problem with the contiguous framed wall in their part of the building and will repair at their expense.

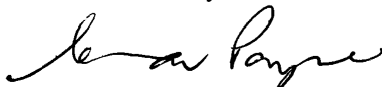
Two quotes will be obtained as well as the quote given by Tedmans for the termite eradication and control. We will seek extended warranties on the work.

It is assumed that whomever we select that the six monthly inspections by Tedmans will still be provided under their contract with the Council.

It goes without saying that the building is a valuable asset of the Council whereby both groups utilise the building that provides much needed services to Shire residents.

We hope that Council will see its way clear to helping the Tweed Bridge Club and Twin Towns Playgroup and look forward to a favourable reply at your earliest convenience.

Yours faithfully



Norm Payne
President Tweed Bridge Club



Sue Smith
Coordinator Twin Towns Playgroup

cc .Geoff Edwards Tweed Shire Council

Reports from Director Environment & Community Services

As can be seen above, white ants have been a problem within the building, however no “whole of building” treatment has been carried out due to the existing shared tenant arrangement whereby the Bridge Club occupy and are responsible for two thirds of the building and the Playgroup one third.

The building was constructed in the early eighties and both Clubs have a joint lease agreement whereby they share responsibility for the keeping of the building in good order, repair and condition at all times. They pay a yearly licence fee of \$104.00.

As stated in their letter, the estimated cost of treating this whole building is \$9,000.00 and they request Council contribute half. On top of this treatment expenses there will be an extra expense to both Clubs to repair the damage caused by the termites and this is expected to amount to thousands of dollars.

Accordingly, as this building is a Council asset it is recommended that Council contribute 50% towards the final cost of the termite treatment for the entire building and funds from Council’s budget for property maintenance.

Reports from Director Environment & Community Services

14. ORIGIN: Recreation Services Unit

FILE REF: Regulatory Signs, Noise – Pollution, Cudgen Nature Reserve

REPORT TITLE:

Trail Bikes - Cudgen Recreation Ground

SUMMARY OF REPORT:

Council has received a request from Cudgen Progress Association to erect signs on Cudgen Recreation Ground, Collier Street, Cudgen prohibiting the riding of motorbikes.

RECOMMENDATION:

That Council erects signs on Cudgen Recreation Ground prohibiting the riding of motorbikes on the grounds.

Reports from Director Environment & Community Services

REPORT:

Council has received a request from the Cudgen Progress Association to erect signs prohibiting motorcycle riders on the Cudgen Recreation Ground (Figure 1), Collier Street, Cudgen. The letter is reproduced below for Councillors information:

CUDGEN PROGRESS ASSOCIATION

98 John Robb Way
CUDGEN
N.S.W. 2487

15 May 2001

REGULATORY SIGNS
NOISE-POLLUTION

TWEED SHIRE COUNCIL
FILE NO. CUDGEN NATURE RES
DOCUMENT NO. []
RECD 18 MAY 2001
BOX NO. []
ASSIGNED TO: BRAWLEY S
HARD COPY <input type="checkbox"/> IMAGE <input checked="" type="checkbox"/>

The General Manager
Tweed Shire Council
P.O. Box 816
MURWILLUMBAH
N.S.W. 2484

Dear Sir,

RE: TRAIL BIKE NOISE

A number of complaints have been received from Cudgen residents, in regard to the use of the Cudgen Recreation Ground, Collier Street, by Trail Bike Riders, principally at weekends.

These bikes, ridden by juveniles, use the area as a racetrack to the considerable annoyance of nearby residents.

Originally local streets were used as a route to the ground. Following complaints to the Police Service this practice has long ceased, however the riders now use adjacent farm lands, without the owners permission.

The purpose in writing is to seek Council's assistance in using their authority under Parks and Gardens By-Laws, to erect Warning Signs banning the use of the ground for this purpose, and to display the appropriate warning for infringement.

If the signs do not prove effective then to take the necessary action against the offender.

Could you also advise what the implications would be to a property owner should a rider incur an accident on his property whilst using the area without his permission.

Yours faithfully,

Ruth Wallace
Hon. Secretary

The riding of motorcycles on this ground is inappropriate and it is recommended that Council erect signs at Cudgen Recreation Ground prohibiting motorbike riding, as requested.

Reports from Director Environment & Community Services

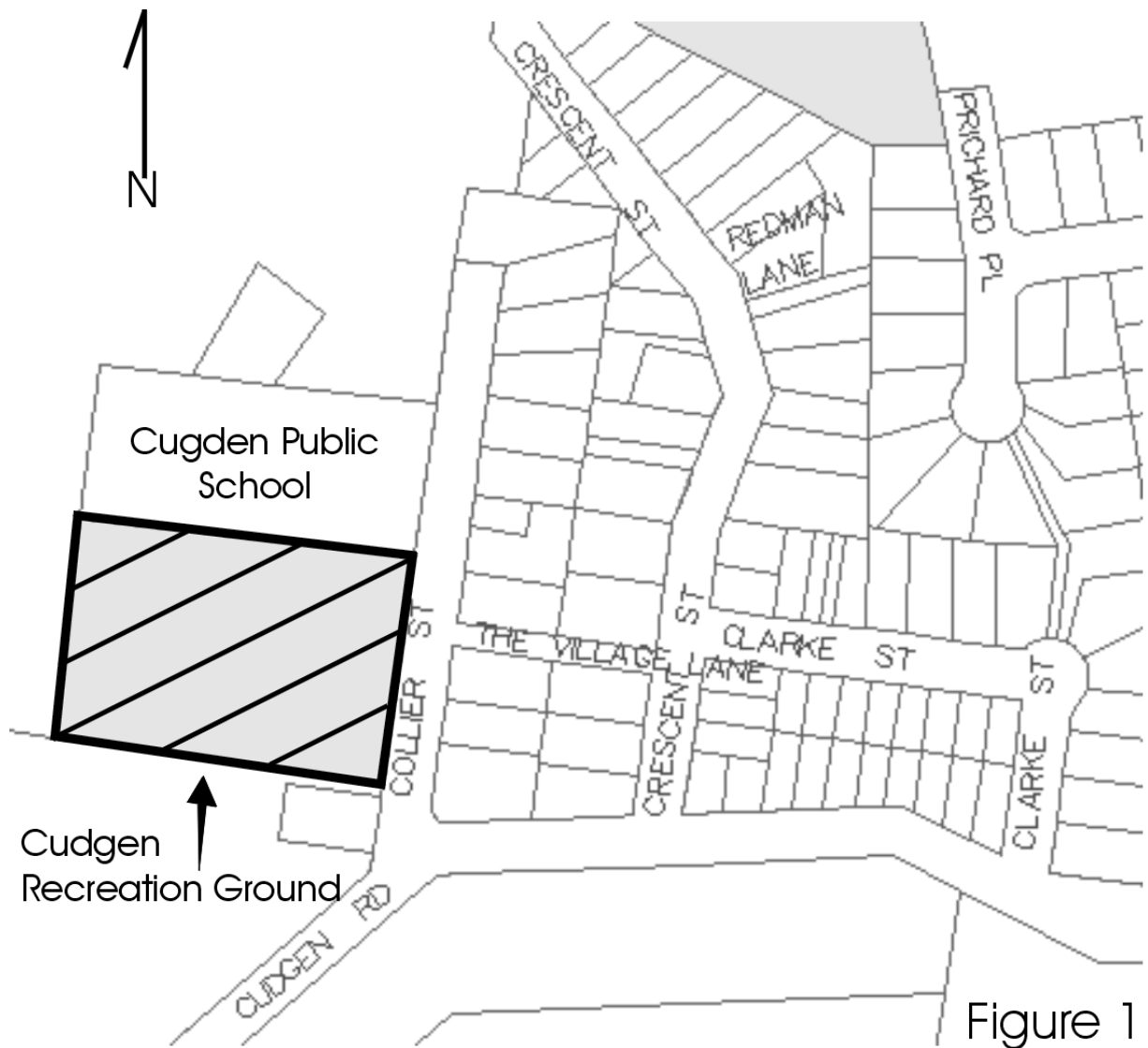


Figure 1

Reports from Director Environment & Community Services

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15. ORIGIN: Director

FILE REF: Fire Services, Bush Fire Brigades

REPORT TITLE:

Rural Fire Service - Service Level Agreement

SUMMARY OF REPORT:

On 1 July 2001 the NSW Rural Fire Service will be taking over the employment of staff currently working in NSW Local Government.

With this comes a change in the arrangements for use of buildings, plant and materials and the delivery of service.

This has resulted in Council entering into a Service Level Agreement between the NSW Rural Fire Service and Council.

RECOMMENDATION:

That:

1. Council appoints two (2) Councillors to be members of the Rural Fire Service Liaison Committee.
2. Council supports the transfer of Council's powers under Section 82 of the Rural Fire Unit to the Commissioner.
3. The agreement be amended as negotiated by the General Manager.
4. All documents be completed under the Common Seal of Council.

Reports from Director Environment & Community Services

REPORT:

On 1 July 2001 the NSW Rural Fire Service will be taking over the employment of staff currently working in NSW Local Government.

With this comes a change in the arrangements for use of buildings, plant and materials and the delivery of service.

This will result in Council entering into a Service Level Agreement between the NSW Rural Fire Service and Council.

The changes in management of the Rural Fire Service is expected to have little impact on combat procedures or the roles of the volunteers within the Service.

A copy of the draft Service Level Agreement is attached to this business paper.

Many of the issues raised in the agreement are operational matters, which require little debate and are in fact a modification on delivery of existing service delivery issues.

However, the following matters are highlighted to Council for determination:

LIAISON COMMITTEE

Under Clause 4 of the Draft Agreement, a liaison the Committee is required to be established consisting of six (6) members, as follows:

- a) two Councillors from the Council appointed by resolution of the Council;
- b) the General Manager of the Council or his or her delegate;
- c) one volunteer rural fire fighter from the District appointed by the local branch of the NSW Rural Fire Service Association Inc ("**the RFSA**"), or, in the absence of a local branch, elected in accordance with the applicable Service Standard;
- d) one member of the Service staff from the District nominated by the FCO and approved by the Commissioner, or, in the absence of any other Service Staff assigned to the District in addition to the FCO, an honorary DFCO; and
- e) the fire control officer who will be the committee's Executive Officer.

Therefore it will be necessary for Council to determine the two representatives on the Liaison Committee.

RURAL BUSH FIRE DANGER PERIOD

Reference - criteria No. 11 of Schedule 3.

Council currently, under Section 82 of the Act, is required to resolve to extend the statutory bush fire danger period. This is usually done on the advice of the Fire Control Officer.

It is appropriate that the function be delegated to the Commissioner. The decision made on these performance criteria will reflect in Performance Criteria No. 12.

Reports from Director Environment & Community Services

15a. ORIGIN: Environment & Health Services Unit

FILE REF: Govt Grants - Community Options

REPORT TITLE:

Provision of Funding - Community Options

SUMMARY OF REPORT:

Council currently receives \$182,400 for its Community Options program and \$19,400 for its Aged and Disability worker from the Department of Ageing and Disability and Home Care.

The Department has now written to Council advising that such grants are available for renewal with an increase to \$198,692 and \$22,336.

RECOMMENDATION:

That Council:-

1. Accepts the renewal offer for funding from the Department of Ageing and Disability and Home Care for \$198,692 for its Community Options Program and \$22,336 for its Worker, Aged and Disability.
2. Votes the expenditure accordingly.

Reports from Director Environment & Community Services

REPORT:

Council currently receives \$182,400 for its Community Options program and \$19,400 for its Aged and Disability worker from the Department of Ageing and Disability and Home Care.

The Department has now written to Council advising that such grants are available for renewal with an increase to \$198,692 and \$22,336.

As these grants allow Council to provide a valuable service to residents it is recommended that Council accepts the renewal offers.

Reports from Committees/Working Groups

1. Minutes of the Community Advisory Committee Meeting held Thursday 24 May 2001

VENUE:

Meeting Room, Tweed Civic Centre

TIME:

9.30am.

PRESENT:

Robin Spragg, Jenni Funari, Frances Dorar(TVWHC), Jim Bradbury(DOCS), Louise Muir(TRVF), Lorraine Walker(Com Health), Julie Coghlan(TSWS), Therese Krise, Jenny McAllister(Labor Candidate for Richmond, Sharen Smith (Minute taker).

APOLOGIES:

Cr Wendy Marshall, Kristen Forster, Jacki Parry.

MINUTES OF PREVIOUS MEETING:

Moved: Jim Bradbury

Seconded: Robin Spragg

RESOLVED that the minutes of the Community Advisory Committee meeting held Thursday 22 March 2001 be confirmed as an accurate record of the proceedings of that meeting.

BUSINESS ARISING:

2. Young People's Issues

Community Advisory Committee

Robin Spragg can provide a copy of this Draft Paper. Phone (02) 66702400.

3. Aboriginal Community Worker Working Group

CDSE, Community Advisory Committee

As resolved in the last CAC minutes two potential funding sources have been identified.

Jenni Funari noted the - *The Community Development Support Expenditure Scheme* (Clubs money) and the *Supporting Families & Community Scheme* may have funding for an Aboriginal Community Worker Project. Because of the conditions of funding, the project would have to be a contained 12 month project with specific outcomes. She gave an example

Reports from Committees/Working Groups

of a project providing cross-cultural workshops for generalist community services and community in general and liaison type work. Whilst this may not fully address all of the criteria put forward in the ATSI Issues Paper recommendation, if successful, it would at least allow the commencement of an "Aboriginal Community Worker".

Moved: Julie Coghlan **Seconded:** Jim Bradbury

RECOMMENDATION:

That the CDSE and CSFS funding options be fully investigated and relevant submissions be prepared and submitted if applicable.

4. Men's Issues

Community Advisory Committee

There has been a Men Working With Men Conference since the last CAC meeting. This was to gather information on what resources are available to men. The Men's Shed Project is in need of funds. When the Men's Issues Paper is developed it will be tabled at the CAC.

GENERAL BUSINESS:

1. Women's Issues Paper

The Draft Women's Issues Paper was handed out. Jenni acknowledged the TAFE Welfare Student who gathered a lot of the information in the paper. She noted there had been no specific consultations since 1998.

The following points were raised regarding the paper. Robin Spragg noted these points.

- Terms need to be clarified e.g. marriage, Tweed, disability
- Some analysis is necessary, however, writers should be careful when making conclusions
- Women as carers should be noted
- Women as carers of people with disabilities should be noted
- Women and employment issues should be more fully considered
- Women's settlement patterns in Tweed Shire should be more fully considered
- General community attitudinal change to women needs to be kept on the agenda
- National Women's Health Policy could be highlighted as a model for developing holistic approaches to women's wellbeing
- The Women's Issues Paper data could be based on the objectives of the NWHP

Reports from Committees/Working Groups

- Cultural, artistic and social needs of women should be noted
- Any proposed womens forum/consultations should be innovative and creative. Lismore International Womens Day Events were noted as a good model for forums/workshop/consultations.
- Childcare should be noted as a service gap

Those present were asked to direct further comments to Robin Spragg on (02) 6670 2400 or post to him at Tweed Shire Council, PO Box 816, Murwillumbah, NSW 2484

NEXT MEETING:

The next meeting of the Community Advisory Committee will be held 26 July, in the Canvas & Kettle Restaurant, Murwillumbah Civic Centre, Murwillumbah.

The meeting closed at 11.40.

Director's Comments:

Recommended that Council supports the submission of the CDSE and CSFS funding applications.

DIRECTOR'S RECOMMENDATIONS:

3. Aboriginal Community Worker Working Group

Community Advisory Committee

Committee Recommendation:

That the CDSE and CSFS funding options be fully investigated and relevant submissions be prepared and submitted if applicable.

Director's Recommendation:

Recommended that Council supports the submission of the CDSE and CSFS funding applications.

Reports from Committees/Working Groups

2. Minutes of the Tweed Shire Council Access Advisory Committee Meeting held Thursday 17 May 2001

Comm Access Cttee

VENUE:

Buchanan Room, Murwillubmah Depot.

TIME:

3.30pm

PRESENT:

Cr Wendy Marshall, Bill McKennariey, Ron Douglas, Graham Williams, Stephen Pollitt, Ross Cameron, Anna Fisher.

APOLOGIES:

Cr Max Boyd, Kristen Forster, Una Cowdroy, Gail Martin.

MINUTES OF PREVIOUS MEETING:

Moved: Stephen Pollitt

Seconded: Ron Douglas

RESOLVED that the meeting held Thursday 15 March 2001 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

5. Tweed City Shopping Centre
Work done.

8. Disability Parking Space, Murwillumbah

Memo received from Ray Clark advising that further disabled car parking is not supported however, original proposal was to relocate, not provide an extra space and therefore Item should be reviewed. (See original letter).

9. Murwillumbah Bowls Club

Disabled carparking space has now been resolved and the issue of lighting is being investigated.

Reports from Committees/Working Groups

10. Access Committee Representative

Nothing to report at this stage but any updates will be forwarded.

2. Pedestrian Crossing Cnr Wollumbin & Nullum Street

Still being pursued.

14. Outdoor Dining Policy

A formal request be made to the Director of Environment and Community Services requesting a copy of the Outdoor Dining Policy

Moved: Ron Douglas **Seconded:** Cr Wendy Marshall

CORRESPONDENCE IN:

1. Letter of resignation from Brenda Chapman.

Comm Access Cttee

A letter of resignation was received from Brenda Chapman.

Moved: Cr Wendy Marshall **Seconded:** Stephen Pollitt

RECOMMENDATION:

That a letter of thanks be forwarded to Brenda Chapman and that the Committee extends their best wishes.

2. Letter of resignation from Ron Douglas

Comm Access Cttee

Letter from Ron Douglas advising that he must resign as Chairperson as he will be absent for 6-9 months.

Moved: Cr Marshall **Seconded:** Stephen Pollitt

RECOMMENDATION:

That the letter of request from Ron Douglas be accepted as leave of absence and that a letter of confirmation be forwarded to Ron.

Reports from Committees/Working Groups

GENERAL BUSINESS:

3. Traffic Committee

Bill McKennarley discussed various issues.

4. Disabled Car Parking Signage

Concern was raised about signage of the disabled car parking adjacent to the front southern entry of Tweed City. Disabled symbol has been provided on the ground, however, it was suggested that a pole or wall sign could be provided to make them more obvious. Ross Cameron advised that he would look at the site and discuss with Centre Management.

5. Access to Shops at Kennedy Drive and Ducat Street, Tweed Heads

Concerns were raised that there is a lack of access to the shops. Ross Cameron advised he would investigate.

6. Sexton Hill Pedestrian Access

Comm Access Cttee

Concerns were raised regarding the lack of pedestrian access to safely cross the highway at Sextons Hill with the existence of a bus stop on north and south bound sides of the highway.

RECOMMENDATION:

That a letter be forwarded to the Traffic Committee.

7. Disabled Signage at Tweed Shire Council

Comm Access Cttee

The Committee noted that disabled space and access has been provided to the public gallery in Council Chambers however, no signage has been provided indicating that access is available and there is no indication as to the location of the disabled toilet facilities.

Moved: Cr Marshall Seconded: Stephen Pollitt

RESOLVED that the Committee acknowledges their appreciation to Council for the provision of disabled access to the Chambers

Reports from Committees/Working Groups

RECOMMENDATION:

That signage be provided indicating that disabled access is available to the Council Chambers and that consideration be given to a sign being provided at the front of the carpark in front of the main entry indicating that lift access is available under the rear of the building.

NEXT MEETING:

The next meeting will be held at 3.30pm Thursday 19 July at the HACC Centre, South Tweed.

Director's Comments:

1. Recommended that the letters recommended in Items 1 and 2 be forwarded.
2. The signage referred to in Item 7 be referred to the Director, Environment & Community Services.

DIRECTOR'S RECOMMENDATIONS:

1. Letter of resignation from Brenda Chapman.

Comm Access Cttee

Committee Recommendation:

That a letter of thanks be forwarded to Brenda Chapman and that the Committee extends their best wishes.

Director's Recommendation:

As per Committee recommendation.

2. Letter of resignation from Ron Douglas

Comm Access Cttee

Committee Recommendation:

That the letter of request from Ron Douglas be accepted as leave of absence and that a letter of confirmation be forwarded to Ron.

Director's Recommendation:

As per Committee recommendation.

6. Sexton Hill Pedestrian Access

Comm Access Cttee

Committee Recommendation:

That a letter be forwarded to the Traffic Committee.

Director's Recommendation:

As per Committee recommendation.

Reports from Committees/Working Groups

7. Disabled Signage at Tweed Shire Council

Comm Access Cttee

Committee Recommendation:

That signage be provided indicating that disabled access is available to the Council Chambers and that consideration be given to a sign being provided at the front of the carpark in front of the main entry indicating that lift access is available under the rear of the building.

Director's Recommendation:

That this item be referred to the Director Environment and Community Services

Reports from Committees/Working Groups

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

- 3. Minutes of the Tweed Shire Council Consultative Committee Meeting held Thursday 17 May 2001**
 - 4. Minutes of the Communications Committee Meeting held Wednesday 6 June 2001**
-

Reports from Committees/Working Groups

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Orders of the Day

1. Notice of Motion - Cr Marshall

Main Street Program - Funding Options

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

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

2. Notice of Motion - Cr Boyd

Home & Community Care Centre, Tweed Heads South

Notice of Motion, 2430.200, Donations, HACC

That Council makes the South Tweed Heads Community Centre available, free of charge, to the Twin Towns Friends Association for the purpose of holding their regular meetings.

***Note:** This organisation has been in operation for about 5 years. It has approximately 130 people, mostly elderly and living alone, who are visited by one or other of the 90 volunteers who carry out this work. The organisation covers all of Tweed Shire and the southern end of the Gold Coast up to about Tugun.*

There are no paid employees but they do need funds to help meet the cost of petrol, take out necessary insurance and all normal administrative costs.

It is fulfilling a growing need in our community. At the moment it holds its meetings in a very small room in the Coolangatta Senior Citizens Club.

It has great difficulty in raising about \$6,000pa to cover its operating costs.

3. Notice of Motion - Cr Boyd

Tweed Daily and Daily News - Microfilming

Notice of Motion, Historical Society

That Council meets the balance of the cost of acquiring a Minolta MS3000 Microfilm Digital Scanner Printer valued at \$23,063, to be used in conjunction with the microfilm copies of all back issues of the Tweed Daily and Daily News already procured by a local group of people headed by Mrs Stainlay and Mrs Bornholt.

Orders of the Day

Note: The amount of \$5,000 is already held in the bank and a further \$6,000 has been promised. Therefore the amount required from Council is approximately \$12,000.

4. Notice of Rescission - Cr Beck, Cr Youngblutt and Cr Brinsmead

Proposed Highway Service Centre at Lot 2 DP 1010771, Pacific Highway, Chinderah

Notice of Rescission, DA4260/310 Pt2

That Council resolution at Minute No 1089 in relation to Item 7 of the Meeting held 6 June 2001 being:-

".....that Development Application 1375/2000DA submitted by BP Australia Pty Ltd for a Highway Service Centre at Lot 1 DP 1010771, Pacific Highway & Philip Street, Chinderah be approved subject to the following conditions:-

PRE-REQUISITES – CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

1. *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. The Plan is to incorporate appropriate planting and fencing adjacent to the eastern boundary with the objective of minimising noise impacts. All landscaping work is to be completed in accordance with the approved plans prior to any use or occupation of the building.*
2. *Any carparking floodlighting shall not spill beyond the boundaries of the site. A plan of the lighting shall be approved by the Director of Development Services **PRIOR** to the issue of a Construction Certificate.*
3. *A traffic control plan that complies with the provisions of the RTA document "Traffic Control at Work Sites" Version 2 shall be prepared by a person who is qualified, authorised and has passed an RTA approved training course, and submitted for approval by Council, prior to issue of the Construction Certificate. All works are to comply with the Occupational Health and Safety Act and the RTA document and the approval particularly in respect to works on public roads. Safe public access shall be provided at all times.*
4. (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

Orders of the Day

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.

a. Tweed Road Contribution Plan: \$23,465.30

S94 Plan No. 4 (Version 4.0)

(Kingscliff – commercial)

Heavy Haulage Component

Payment of a contribution pursuant to Section 94 of the Act and the Heavy Haulage (Extractive materials) provisions of Tweed Road Contribution Plan No. 4 - Version 4.1 prior to the issue of a construction certificate or subdivision certificate, whichever occurs first. The contribution shall be based on the following formula:-

$$\$Con_{TRCP-Heavy} = Prod. \times Dist \times \$Unit \times (1 + Admin.)$$

where:

$\$Con_{TRCP-Heavy}$ heavy haulage contribution

and:

Prod. projected demand for extractive material to be hauled to the site over life of project in tonnes

Dist. average haulage distance of product on Shire roads

(trip one way)

$\$Unit$ the unit cost attributed to maintaining a road as set out in Section 6.4 (currently 2.5c per tonne per kilometre)

Admin. Administration component - 5% - see Section 6.5

b. Extensions to Council Administration Offices

& Technical Support Facilities \$69.00

S94 Plan No. 18

5. 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

Orders of the Day

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:

<i>Water:</i>	<i>11 ET @ \$3590</i>	<i>\$39,490.00</i>
<i>Sewer:</i>	<i>11 ET @ \$2970</i>	<i>\$32,670.00</i>

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.*

6. *Prior to commencement of work pursuant to this consent a **Construction Certificate** shall be obtained for the works proposed and required by this consent.*

The following information must accompany applications for a construction certificate for building & subdivision work.

(i) Building Work

*In the case of an application for a construction certificate for **building work**:*

- a) copies of compliance certificates relied upon*
- b) four (4) copies of detailed plans and specifications*

The plan for the building must be drawn to a suitable scale and consist of a general plan and a block plan. The general plan of the building is to:

- show a plan of each floor section*
- show a plan of each elevation of the building*
- show the levels of the lowest floor and of any yard or unbuilt on area belonging to that floor and the levels of the adjacent ground*
- indicate the height, design, construction and provision for fire safety and fire resistance (if any)*

Where the proposed building work involves any alteration or addition to, or rebuilding of, an existing building the general plan is to be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the proposed alteration, addition or rebuilding.

Orders of the Day

Where the proposed building works involves a modification to previously approved plans and specifications the general plans must be coloured or otherwise marked to the satisfaction of the certifying authority to adequately distinguish the modification.

The specification is:

- to describe the construction and materials of which the building is to be built and the method of drainage, sewerage and water supply*
 - state whether the materials proposed to be used are new or second hand and give particulars of any second hand materials used*
- c) where the application involves an alternative solution to meet the performance requirements of the BCA, the application must also be accompanied by:*
- details of the performance requirements that the alternative solution is intended to meet, and*
 - details of the assessment methods used to establish compliance with those performance requirements*
- d) evidence of any accredited component, process or design sought to be relied upon*
- e) except in the case of an application for, or in respect of, a class 1a or class 10 building:*
- a list of any fire safety measures that are proposed to be implemented in the building or on the land on which the building is situated, and*
 - if the application relates to a proposal to carry out any alteration or rebuilding of, addition to, an existing building, a separate list of such of those measures as are currently implemented in the building or on the land on which the building is situated.*
- f) Engineering plans and specifications for all civil engineering works required by this consent.*

The list must describe the extent, capability and basis of design of each of the measures concerned.

- 7. All stormwater from upstream catchments shall be conveyed through the site by an approved drainage system to a legal point of discharge. A detailed design plan of conveyance of Q100 flow from upstream catchments through the site (and necessary easements to convey the Plan) shall be submitted to and approved by the Director of Engineering Services prior to submission of the construction certificate application. The construction certificate application shall incorporate the approved Q100 drainage system.*
- 8. A detailed plan of parking shall be submitted prior to the release of the construction certificate. Such plan shall incorporate the following:-*

Orders of the Day

- a. *car spaces 14 to 28 and 78 to 74 are to have raised wheel stops in each space to prevent vehicles overhanging pedestrian pathways.*
- b. *Car spaces 50 to 61 need wheel stops or moving the island kerb back 600mm to control vehicle overhang.*
9. *Submission of plans in triplicate, showing the proposed internal floor plans for the proposed kitchen and food preparation areas. Such plans shall accompany the construction certificate application.*
10. *The applicant shall demonstrate provision of 'playground' and 'limited emergency repair' facilities via the submission of satisfactory evidence for the approval of the Director of Development Services. Such evidence shall accompany the construction certificate application.*

GENERAL

11. *The development shall be completed in general accordance with Plan Nos R73572 AN002, R73572 AP002, R73572 AP003, R73572 AP004 & R73572 AP005 prepared by BPOIL and dated 5/4/01, 23/2/01, 19/2/01 & 19/12/00, except where varied by these conditions.*
12. *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.*
13. *All material to be removed off the site to be deposited in a location approved by Council. The Acid Sulphate Soil Management Plan shall be revised to include contingencies for the treatment of any potential or actual acid sulphate soil prior to the material being removed from the site. Prior to and during the removal of material from the site a 10m long "shake down" area is to be provided immediately before the public road and constructed of 50mm diameter crushed rock. Regular maintenance of the "shake down" area is required to ensure no material is deposited on the public roadway.*
14. *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.*
15. *The creation of easements for services, rights of carriageway and restrictions as to user as may be applicable under Section 88B of the Conveyancing Act including the following:*
 1. *Easements for sewer, water supply and drainage over ALL services on private property.*
 2. *Stormwater drainage easements sufficient to convey passage of runoff from upstream catchments through the site.*

Orders of the Day

Pursuant to Section 88BA of the Conveyancing Act (as amended) the Instrument creating the right of carriageway/easement to drain water shall make provision for maintenance of the right of carriageway/easement by the owners from time to time of the land benefited and burdened and are to share costs equally or proportionally on an equitable basis.

Any Section 88B Instrument creating restrictions as to user, rights of carriageway or easements which benefit Council shall contain a provision enabling such restrictions, easements or rights of way to be revoked, varied or modified only with the consent of Council.

16. *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.*
17. *In pursuance of the provisions of the Disability Discrimination Act, 1992 (Commonwealth) the design of the proposed development shall facilitate access for the disabled in accordance with AS1428-1993 Parts 1 to 4 - Design for Access and Mobility.*
18. *The provision of 74 off street car parking spaces, 12 truck spaces, 4 caravan spaces, 2 coach spaces and 1 service dock. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.*
19. *Advertising structures/signs to be the subject of a separate development application, where statutorily required.*
20. *All traffic control devices, where proposed, shall be accurately notated on a plan, which shall be lodged with the Roads and Traffic Authority for official approval and recording.*
21. *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.*
22. *Garbage storage areas shall be provided in accordance with Council's **"Code for Storage and Disposal of Garbage and Other Solid Waste"**.*
23. *Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.*
24. *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*

Orders of the Day

- c. *frame prior to the erection of brick work or any wall sheeting*
 - d. *final inspection prior to occupation of the building*
 - e. *completion of work*
25. *The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:*
- (i) *Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and*
 - (ii) *Certification of the works performed by the person carrying out the works is to be submitted to the PCA prior to occupation of the building; and*
 - (iii) *A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-*
 - (A) *the method of protection; and*
 - (B) *the date of installation of the system; and*
 - (C) *where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and*
 - (D) *the need to maintain and inspect the system on a regular basis.*
- Note:** *Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.*
26. *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.*
 - iii. *A sign has been erected on the site identifying:*
 - *Lot number*
 - *Builder*
 - *Phone number of builder or person responsible for site.*
 - iv. *All conditions of consent required to be complied with prior to work commencing on the site have been satisfied.*

Orders of the Day

- v. *That the licensee has complied with the provisions of Section 98(1)(b) of the Environmental Planning and Assessment Amendment Regulations 2000.*
27. *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.*
28. *All loading/unloading to take place within the boundary of the subject property.*
29. *In accordance with Section 109F(i) of the Environmental Planning & Assessment Act, 1979 (as amended), a construction certificate for **SUBDIVISION WORKS OR BUILDING WORKS** shall **NOT** be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment.*
30. *Pursuant to Section 80(1)(b) of the Environmental Planning and Assessment Act, 1979 (As amended) and Clause 68 of the Environmental Planning and Assessment Regulations, 1994 development consent No. 98/66 dated 22/7/1998 shall be surrendered by lodgement of the prescribed form (Form 3), suitably executed, PRIOR to the issue of a Construction Certificate/Subdivision Certificate.*
31. *All signage, with the exception of traffic signage and signs not requiring consent, are to be subject to a future development application.*
32. *A physical barrier is to be provided along the Pacific Highway frontage of the rest area and along the exit road adjacent to the rest area. A barrier is also to be provided between the drive through and the terrace/play area of the food outlet. Details of the barriers are to be submitted with the Construction Certificate.*
33. *A representative of the Local Aboriginal Land Council shall be present at the site during initial land preparation works. If any items of cultural significance are discovered, the applicant shall immediately notify the National Parks and Wildlife Service.*
34. *Prior to the commencement of work the applicant shall submit to Council evidence that a Site-Specific Safety Management Plan and Safe Work Methods for the subject site have been prepared in accordance with either:-*
- a. *Occupation Health and Safety and Rehabilitation Management Systems Guidelines, 3rd Edition, NSW Government, or*
 - b. *AS4804 Occupation Health and Safety Management Systems - General Guidelines on Principles Systems and Supporting Techniques.*

Orders of the Day

PRESCRIBED (BUILDING)

35. *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.*
36. *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.*
37. *It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied.*
38. *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).*
39. *A person must not commence occupation or use of the whole or any part of a new building (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units)*
40. *Prior to occupation of the building a Occupation Certificate is to be obtained. If Council is requested to issue the Occupation Certificate, the application must be accompanied by relevant Compliance Certificates or documentary evidence of compliance.*
41. *The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.*

ENGINEERING (BUILDING)

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

Orders of the Day

FIRE (BUILDING)

43. *All fire service connections are to be compatible with those of the NSW Fire Brigade.*
44. *Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard AS 2444 "Portable Fire Extinguishers - Selection and Location" and Part E1.6 of the Building Code of Australia.*

DISABLED (BUILDING)

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

FOOD PREMISES

46. *Any premises used for the storage, preparation or sale of food are to comply with the relevant provisions of the Food Act, 1989 and Council's adopted Code for the construction of Food Premises. Details of fittings and equipment are to be submitted to the Principal Certifying Authority prior to installation.*
47. *Prior to the commencement of work the Principal Certifying Authority is to be provided with and approve details of the kitchen exhaust system. Such details are to include the location of discharge to the air, capture velocity, size of hood and angle of filters. The system shall comply with Australian Standards SAA 1668 Part 2 Ventilation Requirements.*
48. *Shop fitters are to liaise with the Principal Certifying Authority prior to fitting out of shop.*

ROADS/STREETS

49. *Development approval only is granted for a driveway from the development to connect with the adjacent public road.*
You will be advised separately of the determination of your application to Council for consent under Section 138 of the Roads Act 1993 to construct or modify a driveway on the public road adjacent to your property
You must receive this separate written consent from Council under Section 138 of the Roads Act 1993 prior to the issue of a construction certificate which includes any works on the adjacent public road and prior to any works taking place on the adjacent public road.
50. *The driveway in Ozone Street is to be constructed 6 metres wide at the property boundary and 9 metres wide at the kerb line with a uniform taper if a splay is specified.*

Orders of the Day

51. *The following roadworks, drainage and associated works shall be carried out to the satisfaction of the Director Development Services in accordance with engineering plans to be submitted to and approved by the Director Development Services prior to work commencing.*
 - i. *Construct along the full length of Ozone Street frontage, barrier type kerb and gutter on an approved alignment and pavement to the edge of the existing bitumen pavement.*
 - ii. *Ozone Street shall be designed and constructed in accordance with Development Control Plan No 16 - Subdivisions Manual and to the satisfaction of the Director, Development Services.*
52. *In accordance with Clause 10.2 of Development Control Plan No 16 a 1.2m wide footpath constructed of concrete shall be provided for the full length of Ozone Street frontage in accordance with details to be included on the engineering plans.*
53. *Detailed design plans for the exit directed to Chinderah Road are to be submitted and approved by Council's Engineering Services Division and where required by the Roads and Traffic Authority prior to work commencing.*
54. *The owner is to erect "No Stopping" signs adjacent to the Chinderah Road off ramp shoulder for the full frontage of the site to the satisfaction of the Roads and Traffic Authority.*
55. *The development is not to be signposted in any form directing northbound Highway traffic to the site via Moreton and Ozone Street.*
56. *All disused invert crossings are to be removed and replaced with kerb and gutter and all disused driveway across the footpath are to be removed and replaced with topsoil and turf to the satisfaction of the Director, Engineering Services.*
57. *Certification by a qualified Engineer that the works have been performed under his/her supervision in accordance with the approved engineering plans and specifications.*
58.
 - (a) *A no left turn sign is to be provide at the truck aisle at the Ozone Street Access/Egress to prevent heavy vehicles entering Ozone Street.*
 - (b) *Painted Giveway lines and Giveway signs are to be provided at all car park exits, the drive thru exit and the intersection of the traffic isles.*
 - (c) *An edge line/delineation line is to be provided across the entry to the truck parking area. A centre line is also required on the traffic isle from Ozone Street to the intersection with the main isle. All linemarking to be provided in accordance with RTA NSW specifications. Replace the giveway ahead sign on the truck isle with 'pedestrians ahead' W5-1B and W6-22B.*
59. *A detailed plan is to be submitted for approval of the Director of Engineering Services showing all traffic control devices and signposting prior to work*

Orders of the Day

commencing. This plan shall be consistent with signposting and control devices identified in the development application documentation.

DRAINAGE/FLOODING

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

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

61. *Erosion and Sediment Control During the Construction Phase of Development*

(a) *Construction phase stormwater quality treatment (erosion and sediment control) shall be designed and constructed in accordance with detailed engineering plans to be submitted and approved with the Construction Certificate. Erosion and sediment control shall be in accordance with the "Tweed Urban Stormwater Quality Management Plan" (adopted by Council 19 April 2000) section 5.5.2 "Stormwater Objectives During the Construction Phase of New Development". This section requires all new development to comply with Appendix E of the Plan "Tweed Shire Council Aus-Spec D7 - Stormwater Quality" and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond (if required) has been released.*

(b) *The Construction Certificate Application must include a detailed erosion and sediment control plan (ESCP) for the construction phase of development, prepared in accordance with Section D7.07 of Tweed Shire Council Aus-Spec D7 - Stormwater Quality.*

62. *Building materials used below Council's minimum floor level of RL 3.6M AHD must not be susceptible to water damage.*

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

64. *Permanent Stormwater Quality Treatment*

(a) *Permanent stormwater quality treatment shall comply with "Tweed Urban Stormwater Quality Management Plan" (adopted by Council 19 April 2000) section 5.5.3 "Stormwater Objectives During the Post Construction or Occupational Phase of Development". New development is required to comply*

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with table 5.4 of the plan and demonstrate compliance by modelling in accordance with section 5.5.4. Section 5.5.5 of the plan further advises that treatment that is in accordance with the “deemed to comply” provisions of Appendix E - Tweed Shire Council, Aus-Spec D7 - Stormwater Quality is deemed to comply with the objectives in 5.5.3.

- (b) *Water sensitive design practices shall be adopted. Where it is practical, water quality features are to be designed into the land development site rather than rely on special end of pipe devices to strip pollutants and nutrients from stormwater prior to discharge. Typical water quality features that can be designed into the site development include use of porous pavements, directing runoff over filter strips or grass swales in landscaped areas, utilising landscaping as an integral part of stormwater quality management, maximising use of infiltration and stormwater reuse (eg. Rainwater tanks). These features can be complemented by site management practices which minimise creation of stormwater pollutants and nutrients and provide for appropriate operation, cleaning and maintenance of water quality control devices.*
- (c) *The Construction Certificate Application must include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development, prepared in accordance with Section D7.07 of Tweed Shire Council Aus-Spec D7 - Stormwater Quality.*

65. *Section 68 Local Government Act 1993 approval for stormwater drainage works.*

A construction certificate application for works that involve any of the following:-

- *connection of a private stormwater drain to a public stormwater drain*
- *installation of stormwater quality control devices*
- *erosion and sediment control works*

will not be approved until prior separate approval to do so has been granted by Council under section 68 of the Local Government Act 1993.

Applications for these works must be submitted on Council’s standard s68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.

TRADEWASTE

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

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67. Pursuant to Section 68 of the Local Government Act, 1993 to ensure there is no unacceptable discharge to Councils sewerage system an approved pre-treatment device (eg. Oil/grease traps, separators, etc) shall be installed to details approved prior to the issuing of a Construction Certificate. The development will be required to meet discharge standards in accordance with Councils Trade Waste Policy.
68. Pre-treatment devices must be serviced by a Council approved waste contractor. The applicant will be required to enter into a service agreement with this waste contractor. Pre-treatment device service frequency will be approved by Councils Manager Water.
69. A hose tap shall be provided adjacent to a grease arrester for cleaning purposes and shall be fitted with a RPZD for the purpose of back flow prevention.
70. Three copies of detailed hydraulic plans shall be submitted with all trade waste applications showing size, type and location of pre-treatment devices. Including all plumbing and drainage installations to these devices which shall comply with AS3500.
71. A trade waste agreement will be issued and a permit number allocated once the device has been installed, inspected and Council has received a copy of the Waste Contractor's Service Agreement
72. Trade Waste application fee will be applicable as per Councils Fees and Charges.

ENVIRONMENT PROTECTION

73. 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.
74. 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.
75. 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.
76. The burning of builders waste on site by open fire is prohibited.
77. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, fumes or the like.
78. All activities associated with the occupancy of the building are to comply with the Protection of the Environment Operations Act, 1997.
79. Prior to commencement of works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.

Erosion and sediment control shall be in accordance with the "Tweed Urban Stormwater Quality Management Plan" (adopted by Council 19 April 2000) section 5.5.2 "Stormwater Objectives During the Construction Phase of New Development".

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This section requires all new development to comply with Appendix E of the Plan "Tweed Shire Council Aus-Spec D7 - Stormwater Quality" and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond has been released.

80. *The LA10 noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz – 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends.*
81. *All works, installations and operations at the site shall comply with the Preliminary Hazard Analysis (KFM Consultants Pty Ltd, March 2001).*
82. *Should operation of the service station cause odour nuisances for adjacent properties then the operator of the service station shall erect a vapour barrier to the satisfaction of the Director of Environment and Community Services. Prior to the erection of such a barrier a report shall be provided to Council detailing the suitability of the proposed vapour barrier.*
83. *All works and storage activities shall comply with AS 1940-1993 and AS 1596 – 1997.*
84. *Required fire hose reels and fire extinguishers shall be provided and maintained in accordance with the relevant Australian Standards.*
85. *Activities shall not cause or permit pollution of waters.*
86. *All installation and operation of fuel storage tanks shall comply with the requirements of the WorkCover Authority of NSW.*
87. *The Acid Sulphate Soils Management Plan is to be amended to include the following requirements. The amended plan is then to be resubmitted to Council prior to work commencing.*

Runoff

Water from the following areas:

- *ponding within bunded areas and within the four designated silt traps, and*
- *flowing through the site stormwater drainage system shall be tested for pH every second day during the 'critical disturbance periods' (as defined in Part 3 of the Acid Sulphate Soils Management Plan), and daily during all rainfall events. After the 'critical disturbance periods' are completed pH testing of water is to be performed once per week. Where any pH testing result falls below 5.5 "then work should stop immediately" and Council contacted in accordance with Part 6 of the Management Plan. Work should not be recommenced without Council approval.*

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All water and soil pH testing results shall be recorded in writing on-site and be available to Council upon request.

The integrity of site bunding shall be maintained to an effective height of 300mm at all times during construction.

A copy of the Acid Sulphate Soils Management Plan shall be maintained and available on-site at all times.

Imported Fill

Imported fill material shall be tested for potential as acid sulphate soil utilising the 'hydrogen peroxide' method (or any equally effective method) as defined under Part 2 of the NSW EPA Environmental Guidelines - Assessing and Managing Acid Sulphate Soils. Where any pH testing result falls below 3 "then work should stop immediately" and Council contacted in accordance with Part 6 of the Management Plan. Work should not be recommenced without Council approval.

Excavated Soils

All disturbed or excavated soil material from the site shall be retained within the bunded areas and shall be spread and dosed with lime at a rate of 3.5kg/m³ as required by the Management Plan. Following this dosing the soil material shall be pH tested and where pH testing result falls below 4 "then work should stop immediately" and Council contacted in accordance with Part 6 of the Management Plan. A minimum of 5 pH measurements shall be taken following each application of lime to an 'area' in accordance with Part 2 of the NSW EPA Environmental Guidelines - Assessing and Managing Acid Sulphate Soils. Work should not be recommenced without Council approval."

88. *The applicant shall submit an assessment under Part V of the Environmental Planning and Assessment Act, 1979 in relation to all works external to the site which are required by conditions of this consent.*
89. *In the event that development on adjoining parcels necessitates the erection of a vapour wall, such shall be erected at the expense of the applicant.*

PLUMBING & DRAINAGE

90. *Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:*
 - a. *internal drainage, prior to slab preparation;*
 - b. *water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;*
 - c. *external drainage prior to backfilling.*
91. A. *A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.*

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- B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.*
92. *An application to connect to Council's sewer is to be submitted to and approved by Council prior to the commencement of any works on the site.*
93. *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.*
94. *Impervious floors, properly graded and drained are to be provided to toilets and amenity rooms.*
95. *Where two (2) or more premises are connected by means of a single house service pipe, the owner of each premises must (unless all the premises are occupied by a single household or firm as a residence or place of business) ensure that a separate water meter, of a class and size approved by Council, is installed on each of those premises.*
96. *All water plumbing pipes concealed in concrete or masonry walls shall be fully lagged.*
97. *Back flow prevention devices shall be installed where ever cross connection occurs or is likely to occur. The type of device shall be determined in accordance with AS 3500.1 and shall be maintained in working order and inspected for operational function at intervals not exceeding 12 months in accordance with Section 4.7.2 of this Standard.*
98. *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.*
99. *Prior to commencement of building works provide hydraulic drawings on the proposed sewer drainage systems including pipe sizes, details of materials and discharge temperatures.*
100. *All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-*
- * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and*
 - * 50⁰C in all other classes of buildings.*

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

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101. *A backflow containment device will be installed adjacent to Councils water meter installation at the property boundary in accordance with AS3500. The device is to be maintained in accordance with the provisions of AS3500 by the owner of the property at the owners expense.*
102. *The application to connect to Council's sewer is to be accompanied by the payment of four (4) inspection fees totalling \$286.00."*

be rescinded.

5. Notice of Rescission - Cr Lawrie, Cr Polglase and Cr Youngblutt

The Erection of a Multi-Dwelling Housing Development Comprising 46 Dwellings (Precinct 7) at Lot 3, DP 883645, Kirkwood Road, Tweed Heads South

Notice of Rescission, DA1993/10 Pt5

That Council resolution at Minute No 1086 in relation to Item 12 of the Meeting held 6 June 2001 being:-

".....that Development Consent 0005/2001DA for the erection of a multi-dwelling housing development comprising 46 dwellings (within Precinct 7) at Lot 3, DP 883645, Kirkwood Road, Tweed Heads South , be amended in the following manner:

1. Amend Condition No. 4 so that it reads:

4. *Prior to the issue of the Construction Certificate for the erection of any buildings, Stage 3B of the Subdivision Consent S98/31 (as amended on 9/4/2001) be completed, and the Subdivision Certificate for this Stage be released by Council.*

2. Add the following two Conditions as Prerequisites

- # *A certificate to be submitted to Council by a Registered Surveyor certifying that Precinct 7 has been filled to a minimum of 2.65 metres AHD prior to the issue of the Construction Certificate for any building.*
- # *A Geotechnical Report to be submitted to Council from a Registered Geotechnical Engineer certifying that the filling operations comply with Australian Standard AS3798-1996.*

3. *It is further recommended that the Section 96 Application Fee of \$350.00 not be refunded."*

be rescinded.

Orders of the Day

6. Notice of Motion - Cr Beck

Urban and Rural Roads - Funding

Notice of Motion, Budget, Roads – Maintenance Program

That the dangerous sections on roads both urban and rural be rectified before any funds are spent on other projects.

6a. Notice of Motion - Cr Lawrie

Engagement of Consultants

Dev Consultants-Consultants

That Council will:-

- 1. Not hereafter engage any consultant without the prior approval of Council.*
 - 2. Not accept financial responsibility for any consultant's fee unless prior approval has been obtained and recorded.*
-

Workshops

Councillors,

Following are details of upcoming Workshops of Council:-

1. Heather Truman – Redlands Tourism

Date: 27 June 2001

Time & Duration: 4.00-4.30pm

Organiser: Ian Carpenter

Resolved by Council: 13 June 2001

2. TACTIC Workshop

Date: 27 June 2001

Time & Duration: 4.30-5.30pm

Organiser: Ian Carpenter

Resolved by Council: 13 June 2001

3. Bushfire Management Plan Workshop

Date: 27 June 2001 (Rescheduled from 13 June 2001)

Time & Duration: 5.30-6.30pm

Organiser: Don Buckley

Resolved by Council: No

Workshops

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