

# Items for Consideration of Council

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# Schedule of Outstanding Resolutions

## 20 SEPTEMBER 2000

### REPORTS FOR DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

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

335

Cr Luff

Cr Marshall

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

**Current Status:** Policy currently being developed.

## 5 DECEMBER 2001

### REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

#### 17. Proposed Tweed Natural High Campaign Drug Related Matters

508

Cr Boyd

Cr Marshall

**RESOLVED** that Council:-

1. Endorses the proposed Tweed Natural High Campaign
2.
  - a. Forms an Advisory Committee to formulate such a campaign.
  - b. Appoints Councillor Polglase to be on the Committee
  - c. Requests the nominated Councillor, relevant staff and a representative of the Queensland Alcohol and Drug Foundation to meet to bring back to Council a recommended Advisory Committee membership.

**Current Status:** The above campaign should coincide with the Tweed Coolangatta Crime Plan launch. This has been delayed due to the need to appoint a new consultant. Now expected in December.

## Schedule of Outstanding Resolutions

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### 19 DECEMBER 2001

#### REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

**33. Future Doon Doon Hall**

**Rural Hall - Doon Doon (Ppty No: 1640.430)**

579

Cr Youngblutt

Cr Davidson

**RESOLVED** that:

1. This item be deferred until the Bilambil Sports Fields purchase is finalised and Council is certain what it is going to cost to bring the whole area into good condition.
2. Council supports, in principle, the preservation of the Doon Doon Hall.

**Current Status:** Estimates are being prepared for the works to be carried out at the Bilambil Sportfields.

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**5. Policy – Low Light Reflective Building Materials**

**Notice of Motion; Building – Code; Building - General**

596

Cr Marshall

Cr Luff

**RESOLVED** that a suitable policy be developed to give effect to the matter of external roof and wall materials to ensure low light reflectivity characteristics and be in such colours as appropriate to compliment the area and amenity of the area and not be prominent against the background of the structure.

**Current Status:** Draft report prepared.

---

### 20 MARCH 2002

#### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

- 5. Draft Tweed Local Environmental Plan 2000 Amendment - Housekeeping (Stage 2) and Amendment to Development Control Plan No 40 - Exempt and Complying Development**

**GT1/LEP/2000/26 Pt1; GT1/DCP/40 Pt1; LEP – 26; DCP**

793

Cr Beck

Cr Marshall

**RESOLVED** Council regarding Item 14 – Deferred Areas, not proceeds with the rezoning of Lot 1 DP803772 and Lot 1 DP810063, Cudgen Road, Cudgen to 1(a) Rural and requests the Director Development Services to bring forward a report on the possibility of rezoning these two lots to Residential 2(a).

## Schedule of Outstanding Resolutions

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**Current Status:** Report will be provided after Tweed Rural Land Use Study has been evaluated..

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### 3 APRIL 2002

#### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

1. **Land East of Old Bogangar Road, Cudgen**

**GT1/LEP/A113 Pt6; LEP**

852

Cr Marshall

Cr Boyd

**RESOLVED** that this matter be deferred pending a report from the Director Development Services after the release of the Rural Land Use Study from the Tweed Economic Development Corporation.

**Current Status:** Report to be prepared.

---

### 19 JUNE 2002

#### ORDERS OF THE DAY

2. **Complying Development Applications**

**Notice of Motion; Building Code; DW678238**

1126

Cr Lawrie

Cr Youngblutt

**RESOLVED** that Council requests staff to:-

1. Investigate rationalisation of its Complying Development Application process from the need for five (5) separate applications involving duplication of information, to one (1) detailed application.
2. Conducts a survey of other applications for the purpose of like rationalisation.

**Current Status:** Being investigated.

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## Schedule of Outstanding Resolutions

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### 3. Bruce Chick Park

Notice of Motion; Bruce Chick Park; DW678989

1127

Cr Boyd

Cr Marshall

**RESOLVED** that:-

1. A plan be developed for road access and parking at Chick Park;
2. An estimate of cost be prepared for such work to be carried out.

**Current Status:** Plan and cost involved being prepared.

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### QUESTION TIME

#### Census Population Data

#### Population Statistics

Cr Boyd

What is the population of Tweed Shire?

The General Manager advised that the Strategic Planning Unit would provide a report to Council on the recently released census population data.

**Current Status:** Report to Council Meeting 2 October 2002.

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## 3 JULY 2002

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

3. **Development Application 0689/2000DA - Storage and Launching Facility for Tweed Coast Sea Rescue Squad at Lot 7018 DP 755701 Coast Road, Hastings Point DA1180/425 Pt1; 1180.425**

10

Cr James

Cr Davidson

**RESOLVED** that this item be deferred to have the opportunity to obtain further information from Fisheries NSW.

**Current Status:** Awaiting response from NSW Fisheries.

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## Schedule of Outstanding Resolutions

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### 21 AUGUST 2002

#### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

7. **Erection of an Advertising Sign at Lot 1 DP 121377 No. 363 Carool Road, Carool  
DA02/1111 Pt1; 960.730**

190

Cr Beck

Cr Youngblutt

**RESOLVED** that that Development Application DA02/1111 for the erection of a advertising sign on Lot 1 DP 121377 No. 363 Carool Road, Carool be deferred pending determination of the application and request the applicant to provide additional information within 28 days to meet the statutory compliance requirements.

**Current Status:** Awaiting applicant's further submission.

---

9. **Development Application K99/1682 for a Six (6) Lot Subdivision at Lot 2 DP  
1014553 Winders Place, Banora Point**

188

Cr Boyd

Cr Marshall

**RESOLVED** that this matter be deferred on the request of the applicant.

**Current Status:** Awaiting applicant's further submission.

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### 4 SEPTEMBER 2002

#### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

5. **Development Application 1262/2001DA for a Subdivision Involving the Creation of  
Eight (8) Master Lots and Bulk Earthworks at Lot 200 DP 755740, Lot 201 DP  
755740, Lot 202 DP 755740 and Lot 209 DP 755740 No. 73 Old Piggabeen Road,  
Cobaki Lakes**

**DA3880/80 Pt1; 3880.80**

236

Cr Beck

Cr Luff

**RESOLVED** that this item be deferred at the request of the Applicant.

**Current Status:** Meeting held with applicant with further report being prepared.

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# Mayoral Minute

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Councillors,

**1. Daily News Office**

**Councillors' Invitations**

5 September – due to my absence from the Shire as the result of an unforeseen personal commitment the Deputy Mayor, Cr. George Davidson attended the opening of the Daily News Office in Murwillumbah on my behalf

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**2. Friendship Force**

**Friendship Force – Councillors' Invitations**

6 September - due to my absence from the Shire as the result of an unforeseen personal commitment the Deputy Mayor, Cr. George Davidson on my behalf greeted a group of 27 people from Houston Texas which also included a few people from Rio Grande.

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**3. Red Cross Murwillumbah Branch**

**Red Cross – Councillors' Invitations**

8 September – I attended the 50<sup>th</sup> Anniversary Celebrations of the Murwillumbah Branch of Red Cross Australia which were held in Knox Park

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**4. Tweed Heads & District Historical Society Inc**

**Historical Society – Councillors' Invitations**

8 September – I attended the Book Launch of 'Look Back' with Peter Winter Volume 2 at Pioneer Park, Kennedy Drive.

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**5. Dotars**

**Sustainable Regions Program – Councillors' Invitations**

11 September – attended a Regional Business Forum at Tweed Heads conducted by Dotars.

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# Mayoral Minute

## INFORMATION ON CONFERENCES TO BE HELD: (Councillors to contact Mayoral Assistant, Jan Green, if they wish to attend and/or require further details)

- 9-11 October – **2002 Main Roads Southern Queensland Technical Symposium** to be held at Roma Bungil Cultural Community Centre
- 20-25 October **29<sup>th</sup> Australian Institute of Environmental Health National Conference 2002** to be held at Manly Pacific Parkroyal
- 21-25 October – **Ecotourism Association of Australia International Conference** to be held in Cairns
- 30 October – 1 November – **The Beacon Australian Local Government Women's Association Conference** to be held in Launceston Tasmania
- 3-6 November – **National General Assembly of Local Government** to be held at the Alice Springs Convention Centre, Alice Springs

## ABSENCES FROM SHIRE BY GENERAL MANAGER AND DIRECTORS

Name	From	To	Location	Details
DCS	11 September 2002 - 13 September 2002		Twin Waters Resort Sunshine Coast	SIA Annual Conference
DDS	16 September 2002 - 20 September 2002		Double Bay (Sydney)	PIA Conference
DDS	24 September 2002		Sydney	Comprehensive Coastal Assessment Committee (PNSW)
DECS	18 September 2002 - 18 September 2002		Sydney	Local Govt. Liaison Committee Meeting
DECS	19 September 2002 - 19 September 2002		Coolangatta	Airport Noise Abatement Consultative Committee Meeting
DES	30 September 2002 - 30 September 2002		Annual Leave	
GM	12 September 2002		Sydney	Corruption Prevention Network Conference
GM	18 September 2002 - 20 September 2002		Canberra	6 <sup>th</sup> National Mediation Conference

# Reports from Director Development Services

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

The following are the matters Council is required to take into consideration under Section 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.

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## Reports from Director Development Services

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**1. ORIGIN: Development Assessment Unit**

**FILE REF: DA02/0732: 3340.2010**

**REPORT TITLE:**

**Development Application DA02/0732 - Multi Dwelling Housing Development Comprising 6 x 3 Bedroom Units at Lot 2 Section 9 DP 758571 No. 282 Marine Parade, Kingscliff**

**SUMMARY OF REPORT:**

Council is in receipt of an application for the erection of a residential flat building comprising 6 x 3 bedroom units at Lot 2 Section 9 DP 758571, No. 282 Marine Parade, Kingscliff.

The proposal includes the demolition of an existing commercial premises, which is currently utilised as a café and hydroponics shop and an old weatherboard garage structure. The site is bounded to the north and south by three-storey residential apartment buildings, multi-dwelling housing to the west separated by Kingscliff Lane and a caravan park to the east separated by Marine Parade.

The proposal seeks a number of variations to Council's development provisions and the provisions of the North Coast Regional Environmental Plan, as detailed in the report.

**RECOMMENDATION:**

That :-

- A. The State Environmental Planning Policy No. 1 objections to Clause 16 of Tweed Local Environmental Plan 2000 regarding the height of the building and to Clause 32B of the North Coast Regional Environmental Plan regarding overshadowing of beaches or adjacent open space be supported and the concurrence of the Director-General of PlanningNSW be assumed.
- B. Development Application DA02/0732 for multi-dwelling housing development comprising 6 x 3 bedroom units at Lot 2 Sec 9 DP 758571, No. 282 Marine Parade Kingscliff be approved, subject to the following conditions:

**GENERAL**

1. The development shall be completed in general accordance with the Statement of Environmental Effects prepared by Singleton Smith Pty Ltd (c.June 2002) and addendum dated 29 June 2002, Stormwater Management Plan prepared by Cozen Regan Williams Prove Pty Ltd dated July 2002, Landscape Plan prepared by Wotogo Gardenscapes dated May 2002 and Development Plan Nos P330WD 01, 02 & 03 All Revision B and P330WD04 prepared by Glen Peterson Architect and 22 March 2002, except where varied by these conditions.
2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.
3. The erection of a building in accordance with a development consent must not be commenced until:
  - a. detailed plans and specifications of the building have been endorsed with a construction certificate by:
    - (i) the consent authority; or

## Reports from Director Development Services

- (ii) an accredited certifier; and
  - b. the person having the benefit of the development consent:
    - (i) has appointed a Principal Certifying Authority; and
    - (ii) has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and
  - c. the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.
4. Lighting used on the site shall not be permitted to detrimentally impact on the amenity of neighbouring premises.

### **PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

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

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

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

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

- a. Tweed Road Contribution Plan: \$4,738.00  
S94 Plan No. 4 (Version 4.0)  
(Kingscliff Sector 6\_4)
- b. Open Space (Structured): \$2,263.00  
S94 Plan No. 5
- c. Open Space (Casual): \$487.00  
S94 Plan No. 5
- d. West Kingscliff - Drainage:  
0.061 ha @ \$16,070.00 \$980.00  
DCP No. 9 S94 Plan No. 7
- e. Shirewide Library Facilities: \$2,012.00  
S94 Plan No. 11
- f. Eviron Cemetery/Crematorium Facilities: \$396.00  
S94 Plan No. 13



## Reports from Director Development Services

- g. Community Facilities (Tweed Coast) \$2,460.00  
(North Coast)  
S94 Plan No. 15
  - h. Emergency Facilities (Surf Lifesaving) \$644.00  
S94 Plan No. 16
  - i. Extensions to Council Administration Offices  
& Technical Support Facilities \$1,225.45  
S94 Plan No. 18
  - j. Cycleways \$470.00  
S94 Plan No. 22
  - k. Regional Open Space (Structured) \$3,434.00  
S94 Plan No. 26
  - l. Regional Open Space (Casual) \$644.00  
S94 Plan No. 26
6. A **certificate of compliance** (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.
- Pursuant to Clause 79H of the Environmental Planning and Assessment Regulations, 1994, a Construction Certificate shall **NOT** be issued by a Certifying Authority unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.
- Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:
- Water: 3.5ET @ \$4000 \$14,000.00  
Sewer: 3.5ET @ \$3275 \$11,463.00
- These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.
- Note:** The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Management Act 2000 to be certified by an Accredited Certifier.
7. The footings and floor slab are to be designed by a practising Structural Engineer after consideration of a soil report from an accredited soil testing laboratory and shall be submitted to and approved by the Principal Certifying Authority prior to the issue of a construction certificate.
8. 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

## Reports from Director Development Services

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

- (b) Water sensitive design practices shall be adopted. Where it is practical, water quality features are to be designed into the land development site rather than rely on special end of pipe devices to strip pollutants and nutrients from stormwater prior to discharge. Typical water quality features that can 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*.
- (d) Specific requirements:
  - (i) The proposed Stormwater Quality facilities are designed and sized in accordance with the "*Tweed Urban Stormwater Management Plan*" and its Appendix E - "*Tweed Shire Council, Aus-Spec D7 - Stormwater Quality*".
  - (ii) Prior to discharge into any infiltration device, runoff from hardstand / impervious areas is to be pre treated to remove contaminants prior to entry into the absorption areas (to maximise life of absorption areas between major cleaning /maintenance overhauls).

### Stormwater Discharge

- (a) All stormwater runoff from the site is to be discharged to Marine Parade. No discharge is permitted to Kingscliff Lane at the rear of the site.
- (b) Runoff from the driveway and basement parking area is to be piped for final discharge to Marine Parade in accordance with Section 9 of AS/NZS 3500.3.2 1998 (Natural Plumbing and Drainage - Part 3.2: Stormwater Drainage - Acceptable Solutions).
- (c) The existing inlet opposite Lot 10 on Section 9 DP 758571 (approximately 110m downstream of the site on Marine Parade) is to be upgraded to accommodate the additional flow discharge to it from the development.

## Reports from Director Development Services

9. The peak stormwater flow rate that may be discharged from the site to the public realm, in events of intensity up to the ARI 100 year design storm, shall be 200 l/s/ha. This may be achieved by on site detention (OSD), on site retention or a combination of both. Detention storage may be incorporated into surface depressions in landscaping or car parking areas. The maximum water depth under design conditions in vehicle parking areas shall be 200mm. OSD devices including discharge control pits (DCP) are to comply with standards in The Upper Parramatta River Catchment Trust "On-Site Stormwater Detention Handbook, Second Edition 1994") except that permissible site discharge (PSD) and site storage requirements (SSR) in the handbook do not apply to Tweed Shire. All these works and the connection to Councils drainage system shall be constructed in accordance with design calculations, plans and specifications to be submitted with the construction certificate application and approved by the Director of Engineering Services and:-
  - (i) The infiltration Pit must be designed to completely empty (by means of infiltration\_ for a 3 month ARI storm event (deemed to be 40% of ARI 1 year event) within a 24 hour period, with a safety factor of 2.
  - (ii) The design infiltration rate shall be determined as follows:-
    1. Conduct percolation tests on the site in accordance with Appendix B of AS. 1547 - 1994, Disposal System for Effluent from Domestic Premises,
    2. If the above calculation yields a result <6m/day, this rate may be used for design,
3. If the result is >6m/day, the rate for design may not exceed 6m/day unless this rate is confirmed by independently determining the coefficient of permeability of the soil in accordance with AS 1289.6.7.3. Notwithstanding these tests, the maximum infiltration rate that may be used for design in sizing purposes is 12m/day.
4. The owner shall be responsible for perpetual maintenance of the stormwater disposal and infiltration system to ensure its continual operation at design capacity and to ensure no adverse affects on other land or property.
10. A. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:
  - i. in the case of work to be done by a licensee under that Act:
    - (i) has been informed in writing of the licensee's name and contractor licence number; and
    - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act; or
  - ii. in the case of work to be done by any other person:
    - (i) has been informed in writing of the person's name and owner-builder permit number, or
    - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount

## Reports from Director Development Services

prescribed for the purposes of the definition of *owner-builder work* in Section 29 of that Act,

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

- B. A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
11. 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*.
12. All fill is to be graded at a minimum of 1% 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 and approved by the PCA prior to the issue of a construction certificate.
13. 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.
14. In accordance with DCP 2 and AS 2890.1 (section 3.4(a)) the maximum driveway gradient for 6m from the property boundary must not exceed 1:20 or 5%.

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15. In respect of peak discharge and on site detention, the figures provided within the application are not accepted (i.e. C100≠0.84) and will therefore require resubmission with the Construction Certificate Application.
16. Notwithstanding the issue of this development consent, separate consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road including the construction of new driveway access (or modification of access). Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee.

### **PRIOR TO COMMENCEMENT OF WORK**

17. 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.
18. All cut or fill on the property is to be battered at an angle not greater than 45° within the property boundary, stabilised to the satisfaction of the Principal Certifying Authority and provided with a dish drain or similar at the base or otherwise retained to the satisfaction of the Principle Certifying Authority. All retaining works shall be completed to the satisfaction of the Principal Certifying Authority prior to start of building work. Please note timber retaining walls are not permitted.
19. 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; 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.
20. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided must be:-
  - (a) a standard flushing toilet connected to a public sewer, or

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- (b) if that is not practicable, an accredited sewage management facility approved by the council, or
  - (c) if that is not practicable, any other sewage management facility approved by the council.
21. A sign must be erected on the site in a prominent, visible position stating:
- a. that unauthorised entry to the work site is prohibited; and
  - b. showing the name of the builder, or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.
  - c. Lot number.
22. It is a condition of this approval that, if an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must comply with the following:
- i. The person must, at the person's own expense:
    - a. preserve and protect the building from damage; and
    - b. if necessary, underpin and support the building in an approved manner.
  - ii. The person must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work.
23. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.
24. Prior to commencement of works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.
- Erosion and sediment control shall be in accordance with *the "Tweed Urban Stormwater Quality Management Plan"* (adopted by Council 19 April 2000) section 5.5.2 "Stormwater Objectives During the Construction Phase of New Development". This section requires all new development to comply with Appendix E of the Plan "*Tweed Shire Council Aus-Spec D7 - Stormwater Quality*" and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond has been released.
25. 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.
26. Prior to commencement of building works provide hydraulic drawings on the proposed sewer drainage systems including pipe sizes, details of materials and discharge temperatures.
27. Prior to commencement of work, a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Consulting Engineer shall be erected and maintained in a prominent position at the site to the

## Reports from Director Development Services

satisfaction of the Director, Development Services. The sign is to remain in place until the Subdivision Certificate is issued.

28. Prior to any demolition works commencing on site, the name and contact details of the responsible person shall be provided in writing to Council's Director Environment and Community Services.

### **DURING CONSTRUCTION**

29. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
30. The 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.
31. A garbage storage area shall be provided in accordance with Council's "**Code for Storage and Disposal of Garbage and Other Solid Waste**".
32. 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.
33. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate.
34. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
  - a. footings, prior to pouring of concrete
  - b. slab, prior to pouring of concrete
  - c. frame prior to the erection of brick work or any wall sheeting
  - d. final inspection prior to occupation of the building
  - e. steel reinforcing prior to pouring of concrete
35. 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.
36. If the work involved in the erection or demolition of a building:
  - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
  - b. building involves the enclosure of a public place,a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with , the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

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37. The provision of adequate vehicular access in accordance with Council's "Vehicular Access to Property Construction Specification" pamphlet, including the provision of an invert crossing at the kerb and gutter where required and paving of the driveway across the footpath to the front alignment to the satisfaction of the Director, Engineering Services. Twenty four (24) hours notice is to be given to Council's Engineering Services Division before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the vehicular access and its reconstruction. Paving bricks are not acceptable unless laid on a 100mm thick concrete base.
38. All work associated with this approval is to be carried out so as not to cause a nuisance to residents in the locality from noise, water or air pollution.
39. Construction site work including the entering and leaving of vehicles is to be restricted to between 7.00 am and 7.00 pm Monday to Saturday and no work on Sundays.
40. All new residential dwellings (and extensions comprising over 50% of the original floor area) are to fully comply with Council's Energy Smart Housing Policy (DCP39). In order to comply with DCP39 consideration must be given to the building envelope, orientation, insulation, ventilation, thermal mass, zoning, and hot water supply.
41. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
  - a. internal drainage, prior to slab preparation;
  - b. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
  - c. external drainage prior to backfilling.
  - d. completion of work.
42. A. A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.  
B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.
43. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
44. 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.
45. 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.
46. 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:-



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- \* 43.5<sup>0</sup>C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
- \* 50<sup>0</sup>C in all other classes of buildings.

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

47. 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.
  - v. That the licensee has complied with the provisions of Section 98(1)(b) of the Environmental Planning and Assessment Amendment Regulations 2000.
48. 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.
49. 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.
50. All demolition works are to observe the guidelines set down under the Environment Protection Authority publication "A Renovators Guide to the Dangers of Lead" and the WorkCover guidelines on working with and handling of asbestos.
51. Ensure adequate turfed area, or other suitable media, is incorporated and maintained into the proposed landscape of the property for use as a car wash-down area.
52. All surface water collected from hard stand parking areas to be directed to Council approved pre-treatment facilities before discharge to approved discharge locations. Stormwater from covered or enclosed carpark areas shall not be discharged to the public sewer unless approved treatment facilities have been

## Reports from Director Development Services

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provided. Details are to be submitted to and approved by the Director of Environment and Community Services prior to installation

53. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.

Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.

This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

54. 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.
55. All necessary precautions shall be taken to minimise impact from dust during filling operations from the site and also from construction vehicles.
56. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.
57. The burning of builders waste on site by open fire is prohibited.
58. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction, operation and, where relevant, the decommissioning of the development.
59. Back flow prevention devices shall be installed wherever 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.
60. In the event that dewatering of the site is required ALL works shall cease unless otherwise directed by Council's Director Development Services AND consultation with the Department of Land and Water Conservation shall commence and where deemed necessary a Part 3A Permit pursuant to the Rivers and Foreshores Improvement Act 1948 is obtained and evidenced to Council's Director.
61. Works shall comply with the Stormwater Management Plan prepared by Cozens Regan Williams Prove Pty Ltd, dated July 2002.
62. Acid Sulfate Soils shall not be exposed and or disturbed unless in accordance with Clause 35 of Tweed Local Environmental Plan an Acid Sulfate Soil Management Plan is prepared and submitted to Council's Director Environment and Community Services for assessment.
63. All waste materials shall be collected, stored and disposed of to the satisfaction of Council's Director Environment and Community Services.

### **PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

64. 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,

## Reports from Director Development Services

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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.

65. 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.

### **USE**

66. 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.
67. 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.

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### REPORT:

**Applicant:** Mr George Gravvanis and Mrs Judy Gravvanis  
**Owner:** Mr George Gravvanis and Mrs Judy Gravvanis  
**Location:** Lot 2 Sec 9 DP 758571, No. 282 Marine Parade Kingscliff  
**Zoning:** 2(b) Medium Density Residential  
**Est Cost:** \$1,200,000.00

### BACKGROUND

Council is in receipt of an application for the erection of a residential flat building comprising 6 x 3 bedroom units at Lot 2 Section 9 in DP 758571, No.282 Marine Parade, Kingscliff.

The proposal includes the demolition of an existing commercial premises, which is currently utilised as a café and hydroponics shop and an old weatherboard storage structure. The site is bounded to the north and south by three-storey residential apartment buildings, multi-dwelling housing to the west separated by Kingscliff Lane and a caravan park to the east separated by Marine Parade.

The proposal includes the provision for 12 car spaces and 1 boat storage space at the basement level, which is accessed by a ramp located within the northwestern corner of the site. Spaces 9 & 10 are located behind a panel lift door linked to the proposed boat storage area. Vehicular access to the proposed development is restricted to the rear laneway only. Visitor and car wash spaces are provided to the immediate south of the rear access ramp.

The proposed building style has a modern semi-Mediterranean influence comprising clear delineation of building components which is further extenuated by a light rendered finish and extensive use of glass in the balustrades.

The building is generally three storey in height with the exception being the lift-well / stairwell enclosure that provides a minor four-storey component.

The proposal was referred to the Development Assessment Panel meeting of 30 August 2002 whereupon it was resolved to: -

*“The Panel was NOT unanimous in relation to Development Application DA02/0732 ... Due to the number of storeys proposed. Therefore, the application is referred to the Executive Management Team for determination.”*

The proposal was referred to the Executive Management Tem meeting of 4 September 2002 whereupon it was resolved to: -

*“Decision that the Executive Management Team supports approval of the development application for a multi-dwelling housing development at 282 Marine Parade, Kingscliff and requests ... a report to Council which includes the Development Assessment Panel’s report for determination”.*

This report is not substantially different to the report presented to the Development Assessment Panel on 30 August 2002, which is held on Council’s file DA0/0732 Pt1.

# Reports from Director Development Services

## SITE DIAGRAM



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**TWEED SHIRE COUNCIL**  
**Lot 2 Section 9 DP 758571**  
**282 Marine Pde, Kingscliff**  
 File: N:\MapInfo 6...Site Plan.Wor Author: J.Batchelor Date: 9/Sept02

STRATEGIC PLANNING UNIT  
  
**Site Plan**  
 Sheet 1 of 1  
 Revision

## Reports from Director Development Services

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### SITE DETAILS/PROPERTY DESCRIPTION

The subject land has an area of 809.33m<sup>2</sup> and presently accommodates an existing building incorporating two (2) ground level commercial tenancies and a separate storage structure situated towards the rear of the site.

The land has a gradual slope from east to west, with levels on the site varying from 7.50m AHD (eastern boundary) to 6.06m AHD (western boundary). The site is predominantly denuded of native vegetation with ornamental varieties representing the sites existing landscaping.

The Applicant contends that on the basis of previous analysis in the area and the experience of local geotechnical contractors, groundwater is not likely to be encountered until approximately 4.5 to 5.5m in depth, which precludes the subject proposal.

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

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

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

The subject land is zoned 2(b) Medium Density Residential pursuant to the provisions of Tweed LEP 2000.

The objectives of the 2(b) zone state:-

##### ***Primary objective***

*to provide for and encourage development for the purpose of medium density housing (and high density housing in proximity to the Tweed Heads sub-regional centre) that achieves good urban design outcomes.*

##### ***Secondary objectives***

- *to allow for non-residential development which supports the residential use of the locality.*
- *to allow for tourist accommodation that is compatible with the character of the surrounding locality.*
- *to discourage the under-utilisation of land for residential purposes, particularly close to the Tweed Heads sub-regional centre.*

The development is generally consistent with the modern architectural themes currently employed in the design of apartment buildings within Kingscliff.

The proposed development is considered to be consistent with the 2(b) Residential zone objectives.

##### **Clause 15 - Availability Of Essential Services**

The subject site is adequately serviced by way of existing stormwater, electricity, sewer and water connections. The proposal is considered to be consistent with the relevant provisions of Clause 15 of TLEP 2000.

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A Stormwater Management Plan prepared by Cozen Regan Williams Prove Pty Ltd has, in combination with Council's Engineers proposed conditions of consent, been determined as satisfactory.

### **Clause 16 – Height Of Buildings**

Clause 16 of the TLEP 2000 states:-

#### ***16 Height of buildings***

##### ***(1) Objective***

- *to ensure that the height and scale of development is appropriate to its location, surrounding development and the environmental characteristics of the land.*

***(2) Consent must not be granted to the erection of a building which exceeds the maximum height or number of storeys indicated on the Height of Buildings map in respect of the land to which the application relates.***

The proposed development incorporates an enclosure for the lift overrun and internal stairwell to the roof top terrace. The structure constitutes a fourth-storey and as such the Applicant has provided a SEPP 1 objection to the provisions of Clause 16. In this regard it is noted that Clause 16 is deemed to be a development standard and as such is open to variation on merit assessment that utilises the provisions of SEPP 1. The objection to the development standard is discussed later in this report.

### **Clause 35 - Acid Sulfate Soils**

Pursuant to the provisions of Clause 35 of TLEP 2000, the subject site is identified as being located within Class 5 soils. Whilst Acid Sulfate Soils are not considered likely to be encountered or require any further testing, Council's Environment and Health Services Unit has provided a proposed condition of consent that reinforces the provisions of Clause 35 of the TLEP 2000.

### **Clause 39 - Remediation Of Contaminated Land**

Clause 39 of TLEP 2000 States:-

##### ***(1) Objective***

- *to ensure that contaminated land is adequately remediated prior to development occurring.*

***(2) State Environmental Planning Policy No 55-Remediation of Land applies to land to which this plan applies despite any other provision of this plan.***

The subject allotment appears prima facia to have supported a residential dwelling and associated commercial component in excess of 25 years. There are no previous land use activities known to have occurred that would give rise to land contamination and or warrant further investigation. Council's Environment and Health Services Unit raises no issues in relation to land contamination.

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

## Reports from Director Development Services

The provisions of the NCREP 1988 are relevant to the proposed development. The relevant provisions are:-

Clause 32(b) States:-

- (1) *This clause applies to land within the region to which the NSW Coastal Policy 1997 applies.*
- (2) *In determining an application for consent to carry out development on such land, the council must take into account*
  - (a) *the NSW Coastal Policy 1997*
  - (b) *the Coastline Management Manual*
  - (c) *the North Coast. Design Guidelines.*
- (3) *The council must not consent to the carrying out of development, which would impede public access to the foreshore.*
- (4) *The council must not consent to the carrying out of development:*
  - (a) *on urban land at Tweed Heads, Kingscliff, Byron Bay, Ballina, Coffs Harbour or Port Macquarie, if carrying out the development would result in beaches or adjacent open space being overshadowed before 3pm midwinter (standard time) or 6.30pm midsummer (daylight saving time), or*
  - (b) *elsewhere in the region, if carrying out the development would result in beaches or waterfront open space being overshadowed before 3pm midwinter (standard time) or 7pm midsummer (daylight saving time).*

In pursuance of the provisions of Clause 32B of the NCREP it is quite apparent that development is not permitted to overshadow any beach or adjacent open space before 3.00pm (midwinter) or 6.30pm (midsummer). In recent times it has been established that Clause 32B(4)(b) is a development standard that is open to variations by utilising the provisions of State Environmental Planning Policy No.1 (SEPP 1) – Development Standards.

The subject proposal provides for overshadowing of the adjacent public reserve (eastern side of Marine Parade) to the extent of approximately 400m<sup>2</sup>. The Applicant contended that the overshadowing *will result in a small encroachment (approx 25m x 16m) at 6.30pm midsummer* and sought Council's consent to the variation. The Applicant was subsequently advised that an objection pursuant to SEPP 1 is required for the proposed variation and that it must not be reliant upon the notion of precedence.

In response to Council's advices the Applicant has provided a well founded argument for the proposed variation that demonstrates to varying degrees that strict adherence to the provisions of Clause 32B(4)(b) is both unnecessary and unreasonable in the circumstances of this case. The Applicant's SEPP 1 is on Council's file DA02/0732 Pt1.

Clause 51 of the NCREP 1988 states:-

- (2) *The council shall not, without the concurrence of the Director, grant consent to a development application for the erection of a building over 14 metres in height.*



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- (3) *In deciding whether to grant concurrence to a development application in respect of development referred to in subclause (2), the Director shall take into consideration the likely regional implications of the development as regards its social, economic and visual effect and the effect which it will or is likely to have on the amenity of the area.*
- (4) *The provisions of sections 84, 85, 86, 87 (1) and 90 of the Act apply to and in respect of development for the purpose of a building over 14 metres in height in the same way as those provisions apply to and in respect of designated development.*

The proposed residential flat building has a proposed maximum height of 12.5m and is therefore consistent with the relevant provisions of Plan.

Clause 81 of the NCREP 1988 states:-

- (1) *The council shall not consent to a development application for development on land within 100 metres of the ocean or any substantial waterway unless it is satisfied that:*
  - (a) *there is a sufficient foreshore open space which is accessible and open to the public within the vicinity of the proposed development,*
  - (b) *buildings to be erected as part of the development will not detract from the amenity of the waterway, and*
  - (c) *the development is consistent with the principles of any foreshore management plan applying to the area.*
- (2) *Nothing in subclause (1) affects privately owned rural land where the development is for the purpose of agriculture.*

The proposed residential apartment building will not impede access to the public foreshore and it is not considered to be in such contrast with its surroundings so as to detract from the amenity of the area in the vicinity of the waterway.

### **State Environmental Planning Policy No.1 - Development Standards**

The proposed development incorporates a 4-storey construction within a 3-storey zone of restriction. The non-compliance provided for is not distinct, in that the extent of the variation relates to a small structure that is used to accommodate the lift overrun and to provide a means of access to the proposed roof terrace. It is contended that the 'fourth-storey' will be essentially imperceptible and thus the building will be largely perceived as being three-storeys.

State Environmental Planning Policy No.1 - Development Standards, provides a mechanism by which Council may consent to a variation to a development standard where it is considered that strict adherence is both unnecessary and or unreasonable in the circumstances of the case.

The objective of the three-storey development standard, as discussed earlier, provided under Clause 16 of TLEP 2000 is to *'to ensure that the height and scale of development is appropriate to its location, surrounding development and the environmental characteristics of the land.'*

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It is contended that the proposed configuration, in terms of building height, is consistent with the abovementioned objective based on the following justification:-

- *The proposed development is largely three-storeys, with the exception of the proposed internal stair access to the roof deck. The latter incorporates a 'fourth' storey for no greater than 22m<sup>2</sup>.*
- *The subject building will give the 'physical' impression of three- storeys from all elevations, with the exception of the small extrusion detailed above. In this regard it is pertinent to note that given the close proximity of the rear lane to the proposed structure, visual access to the proposed roof terrace area and stair extrusion is unlikely to be afforded, whilst easy visual access will only be afforded for a distance of 2.7m (north to south) from the Marine Parade frontage only*
- *The subject building is entirely consistent with the height and scale of adjoining developments and others within the locality. Indeed, the existing development to the south provides for an area of four (4) storeys, as do several others along Marine Parade.*
- *The proposed area of non-compliance, with particular reference to its central position, will in no way provide an additional source of overshadowing or built form imposition on adjoining properties.*
- *Each of the adjoining properties provide for little in terms of visual opportunities to the proposed development. In this regard, the existing structure to the north is separated by an existing internal driveway (6m) and has been designed in such a manner that only wet area windows are oriented towards the proposal.*
- *The existing structure to the south has also been designed so as to minimise overlooking / direct visual impacts upon the subject site. The proposed area of four (4) storeys will in no way impact upon adjoining properties.*

It is contended further that adverse visual impacts have been minimised by designing in accord with the following:

- *Providing for the practical impression of three (3) storeys only.*
- *Consistency with adjoining developments and others within the locality.*
- *Variation in building elements, thereby reducing the imposition of the structure upon the streetscape.*

It is considered that the Applicant's justification does, to varying degrees, have merit. On-site assessment of existing developments and discussion with colleagues in respect of approved but not yet constructed development in the Kingscliff area serve to further qualify the Applicant's argument.

In light of the proposed development it is considered that to require strict adherence with the TLEP requirement would be inconsistent with previous application of the building height clause on other similar such approved developments and would unnecessarily impact upon the design and functionality of the proposed building. The development standard is in this instance considered unreasonable to the extent of the proposed variation.

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(a) (ii) **The Provisions of any Draft Environmental Planning Instruments**

There are no draft EPI's known to be in existence that have any bearing on neither the assessment nor determination of the subject proposal.

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

**Variations Sought to Council's Requirements**

Variations are sought relative to the compliance of the proposed building in relation to the building envelope provisions of Development Control Plan No.6 -Multi Dwelling Housing.

In this regard it is noted that the proposed development predominantly exceeds the building plane envelope through balcony / terraced areas and not the main building. In assessing the appropriateness of the variation being sought the following matters were considered:-

- Impact on existing built form;
- Impact on proposed building design and functionality if required to comply;
- Articulation of proposed building design;
- Impact of proposal on local amenity, aesthetically and on the existing streetscape;
- Assimilation of design; and
- Building separation.

Having regard to the nature of the proposed encroachment into the building envelope in light of the abovementioned considerations it is considered unreasonable to require strict adherence to the standard in this instance because of the likely impact upon the building design and subsequent liveability.

A fence height variation is sought in relation to the fence fronting Marine Parade. Council's Building Services Report states inter alia:-

*"In conjunction with the building the applicant proposes to construct both side 1.8 metre high timber-paling fences up to the front property boundary, within Council's six metre building line. There are several similar fences in the area that were constructed in association with the construction of residential unit developments Both 1.8 metre high side boundary fences within the building line are in keeping with the fence design of other neighbouring properties."*

The building line variation was approved on 28 June 2002. No objection to the fencing arrangements is raised from a planning point of view.

Variation is sought for the sub-surface encroachment of the basement parking area within the front setback. This below ground area provides for possible boat storage and 2 car parks. The encroachment has no external visual impact. Council's Engineering Services Division and Building Services have assessed the proposal and raise no objection in this regard. No objection is raised from a planning point of view in this instance.

# Reports from Director Development Services

**TABLE OF COMPLIANCE – MULTI DWELLING HOUSING – RESIDENTIAL 2(b) Zone**

DEVELOPMENT PROVISIONS	DCP SOLUTION	PROPOSED DEVELOPMENT	COMPLIANCE (Y/N –See Comment)
Site Analysis (s.3.1.1)	Submission of a detailed site analysis plan	Provided	Satisfactory
Site Area	Not stipulated	809.33	--
Site Density	0.5:1 Floor space ratio (GFA) (404.67m <sup>2</sup> )	1082.29m <sup>2</sup>  1.33:1	It is generally accepted that the floor space ratio provision was not intended to apply to medium density development in the 2(b) zone because of its limiting nature. As the variation being sought is not a matter requiring serious consideration.
Boundary Set Backs (s.3.2.1(A2)): Front Secondary frontage Side Rear	6m 3m 3m (min 1.5 balcony) 3m (min 1.5 balcony)	Min 6m -- min 3m >3m	Satisfactory
Building Envelope (s.3.3.1(A1)): Max Height Envelope	(NGL) 12m  3.5m @ 45 <sup>0</sup>	Minor encroachments	The proposed variation is discussed earlier in this report
Streetscape s.3.2.1 (A3)	Elevation Plan Illustrating building height of proposal relative to adjoining properties.	The subject proposal was accompanied by a detailed description (and photos) of the existing streetscape.	Satisfactory
S.3.2.1(A1)	Sketch plan/photo illustrating existing streetscape and discussion of how proposal integrates	Relevant information provided	Satisfactory
Landscaping s.3.1.3 (A4)	30% of site or sum of number of dwellings multiplied by ratio in table 2 4 (min 325m <sup>2</sup> )	Approximately 488m <sup>2</sup>	Satisfactory

# Reports from Director Development Services

**TABLE OF COMPLIANCE – MULTI DWELLING HOUSING – RESIDENTIAL 2(b) Zone**

DEVELOPMENT PROVISIONS	DCP SOLUTION	PROPOSED DEVELOPMENT	COMPLIANCE (Y/N –See Comment)
Car Parking	1.5/dwellings (DCP No.2) (9 paces)	13 spaces	Satisfactory
Private Open Space	20% of site area (217m <sup>2</sup> ) One part 25m <sup>2</sup> One dimension @ 4m Accessible form living area	Approximately 385m <sup>2</sup> And general compliance with dimensions	The proposed private open space areas are considered satisfactory in terms of size and functionality
Energy Conservation	NatHERS Assessment (DCP No.39)	Provided	Satisfactory
Shadow diagram (s.3.1.1(A1))	Identification of potential problems / shadow diagrams	Provided	Satisfactory

## **Development Control Plan No.43 - Kingscliff**

The subject site is affected by the provisions of DCP No.43 - Kingscliff. The DCP identifies desirable building types and the form of development for specific areas or precincts within Kingscliff locality. The subject site is identified within the Kingscliff North Precinct as a desirable 'commercial centre'.

Section 4.4.4 of the DCP refers to commercial centres and the need to retain easy and efficient pedestrian access to commercial facilities from all residential areas. Specifically, this section advocates the retention of the existing commercial premises upon the subject site.

Section 6.0 of DCP No.43 identifies the subject site as being suitable for a type 2 building, in which neighbourhood shopping facilities should be accommodated. section 6.3.2 states, inter alia:-

*“The existing general store at the northern end of Marina Parade should be encouraged to remain, as it provides a convenient service to nearby residents, occupants of the caravan park and passing tourists. Expansion of the store to incorporate a cafe/restaurant would be in keeping with its local neighbourhood function.”*

In relation to the expansion of the commercial component the Applicant contends that it is not a viable pursuant and as such the proposed development is purely residential in nature. Council’s Strategic Planning Unit supports the applicant’s contention and advises that the non-compliance is satisfactory.

Section 8.2 of the DCP depicts the different types of basic building design configuration. The subject site is identified as building type 2, which is illustrated as

## Reports from Director Development Services

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two-storey mixed commercial and residential with above ground parking. The proposed development has been designed in general accordance with Council's principle statutory planning instrument (TLEP 2000) and DCP No.6. The variations sought in respect of the type 2 building form are done so to the betterment of the proposed building design and the orderly and economic use of the land. The provisions of DCP No.43 need not be considered any further in this proposal.

(a) **(iv) Any Matters Prescribed by the Regulations**

Satisfactory.

(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**

Having consideration to the matters raised in this report is concluded that the likely impact on the natural and built environments, socially and economically in the locality will be negligible.

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

The proposed development site is not unsuitable for the proposed development.

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

The proposed development was notified to 51 adjoining and or potentially affected landowners from 7 to 24 June 2002. No objections have been received.

(e) **Public interest**

Having consideration to the matters raised in this report it can only be concluded that on a merit assessment the proposed development is not contrary to the public interest.

### OPTIONS

1. Approve the application with appropriate conditions of consent.
2. Refuse the application and provide grounds for refusal.

### LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

Should Council resolve to approve the development application there would be no direct financial impact upon Council's adopted forward estimates.

## Reports from Director Development Services

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### CONCLUSION

Notwithstanding a number of variations to Council's development provisions and the provisions of the NCREP in order for the proposed development to proceed the development does display and incorporate good urban design principles and is consistent with the contemporary apartment buildings being constructed in the locality. A merit assessment of the proposal concludes that on balance the development is satisfactory for conditional approval.

Whilst initial thoughts were had in requiring the roof deck balustrade to be setback off the elevation it has since be considered that issues of safety may arise in creating a 'ledge'. In this regard it is considered appropriate to maintain the proposed glass balustrade on the elevation. The visual impact of the balustrade upon the building is not of such magnitude to warrant any potential increase in the risk of harm.

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## Reports from Director Development Services

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## Reports from Director Development Services

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**2. ORIGIN:** Strategic Town Planning Unit

**FILE REF:** DA1393/320 Pt2; Banora Point Community Centre; 1393.320

**REPORT TITLE:**

**Banora Point Community Centre**

**SUMMARY OF REPORT:**

This report considers the issues surrounding a proposed community pre-school and car parking requirements at the Banora Point Community Centre.

**RECOMMENDATION:**

That Council confirms to the Establishment Committee: -

1. That the Banora Point Community Centre can incorporate a community pre-school as a stand-alone activity, subject to the limitations stipulated in Council's resolution of 7 August 2002 on this matter; and
2. That shared use of the current parking facilities in the Salvation Army Centre will be considered in conjunction with the Salvation Army when a final plan of the proposed Community Centre building and activities is available to enable assessment of the requirements for parking.

## Reports from Director Development Services

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### REPORT:

#### BACKGROUND

The Establishment Committee for the proposed Community Centre is finalising the design and management organisation of the project.

The Committee has resolved to put before Council the following at the earliest opportunity: -

1. The Committee asks Council for confirmation that the Banora Point Community Centre can incorporate a Community Preschool.
2. That: -
  - (a) Council consider the car parking requirements for the Centre depending on whether Council answers yes or no to question 1 above.
  - (b) Consideration be given to the shared use of the current parking facilities in the Salvation Army Centre.

#### THE PROPOSED COMMUNITY PRESCHOOL

This issue was considered by Council on 7 August 2002, which resolved as follows:

*“That Council advises the Establishment Committee that its policy is to disengage from the provision of community preschool centres, but if the Committee considers there is a justifiable case for some form of adjunct child care to support other activities carried on at the Community Centre, that is in accordance with Version 3 of S94 Plan No.3, that would share some of the common facilities and not limit opportunities for other activities, then council will consider this proposal as part of the Community Centre development.”*

The Council has therefore allowed the Committee to determine the need for the pre-school, within certain limits.

The current proposal does not actually request the Council to build and provide a pre-school centre, but merely to allow part of the Community Centre to be adapted and used part-time for the purpose of a community pre-school.

The Council's current policy, as defined in the S94 Plan, does not prevent use as a pre-school that conforms with the limitations stipulated previously. For example, a pre-school in the complex could enable mothers to attend educational courses during the daytime.

Therefore the Council should confirm to the Committee that the Banora Point Community Centre can incorporate a community preschool, subject to the limitations previously stipulated.

#### CAR PARKING REQUIREMENTS

The Establishment Committee has asked the Council to:

- (a) Consider the parking requirements for the Centre depending on whether there is or is not to be a community pre-school.
- (b) Give consideration to the shared use of the current parking facilities in the Salvation Army Centre.

DCP No. 2 requires a basic provision of 1 car space per 15 children in a pre-school, but subject to variation according to detailed site access and staff numbers, and possible reduction to 80% to reduce car dependence.

## Reports from Director Development Services

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As a local facility where it is expected most visitors would live within walking or cycling distance, it is certainly necessary to minimise the use of cars by reducing parking provision.

An estimate of parking requirements for the whole Community Centre can only be made when detailed plans of the buildings and activities on the site have been finalised.

With regard to the Salvation Army Centre, the sole access has been provided across Council land, and therefore parking for the two developments is fully integrated. There are currently some 45 car spaces on the Salvation Army land, arranged in such a manner that additional spaces on the Council land can be accessed from the existing roadway on Salvation Army land. This was designed to minimise the proportion of Council land needed for further car parking.

Although the Salvation Army Centre is fully in use, it is rare for more than 10 of the existing spaces to be used, indicating that most of the users do indeed walk or cycle from adjacent homes.

Council should reply to the Committee that shared use of the current parking facilities in the Salvation Army Centre will be considered in conjunction with the Salvation Army when a final plan of proposed buildings is available to enable assessment of the requirements for parking.

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## Reports from Director Development Services

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- 3. ORIGIN:** Director  
**FILE REF:** White Paper; Acts & Ordinances – Environmental Planning and Assessment

**REPORT TITLE:**

**PlanFirst**

**SUMMARY OF REPORT:**

The New South Wales State Government has committed \$4,000,000 per annum towards the implementation of PlanFirst - a comprehensive change to the processes and status of Strategic Planning at the state, regional and local levels. In addition to the State Government's budget allocation contributions will be required of 0.064% of the value of developments above \$50,000 (submitted as development applications). Five or six regional plans will proceed in the near future and the Northern Rivers may be selected as one of those.

**RECOMMENDATION:**

That Council writes to the Deputy Premier, Minister for Planning, Minister for Aboriginal Affairs and Minister for Housing, Dr Andrew Refshauge to strongly advocate the selection of the Northern Rivers as a priority region as part of the implementation of PlanFirst.

## Reports from Director Development Services

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### REPORT:

The New South Wales State Government has strongly committed to the implementation of PlanFirst. No formal legislative changes have been endorsed by the NSW Cabinet but \$4,000,000 has been allocated annually in the State budget and additional revenue will be obtained to a 0.064% contribution requirement on developments valued at \$50,000 or more when they are submitted as development applications to Councils. PlanningNSW will reimburse local government the cost for collecting those contributions.

Five of six regional plans will be initiated in the near future and one of those plans may be for the Northern Rivers. The Director-General of PlanningNSW Ms Sue Holliday met with approximately 50 representatives of Councils and key interest groups in the Northern Region at Grafton on 14 August 2002. There was generally strong support for the priority selection for the Northern Rivers as one of the first regional plans. Preparation of the regional plans will be primarily at the direction of a newly established regional forum comprising five local government representative, five representatives from State Government agencies and five representatives of the community/community interest groups – including one aboriginal representative. Additionally there will be a Chair selected by the Minister for Planning. The regional forum would be expected to meet four or five times a year.

There is significant competition evolving for selection for priority regional planning and it is considered important that this Council advocate to the Minister for Planning that the Northern Rivers be selected as a priority.

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# Reports from Director Corporate Services

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**4. ORIGIN:** General Manager

**FILE REF:** Education Matters; Concerts; Sponsorship

**REPORT TITLE:**

**Northern Stars - Under the Big Top (New South Wales Department of Education)**

**SUMMARY OF REPORT:**

During April 2003 the Northern Districts of New South Wales will be showcasing talented students in a major performing event "Northern Stars - Under the Big Top" to be held at Lismore under a "big top". It will involve 2000 dancers, singers and musicians from more than 100 schools across the Northern Region.

Lismore City Council are sponsoring the event as a Gold Sponsor (\$10,000) and providing \$35,000 of in-kind support with the event.

Attached are sponsorship details and a copy of the proposal for a previous similar event of June 12-14, 2002 for the Hunter Region with the event taking place in Newcastle.

A 3 minute promotional video is available for viewing.

**RECOMMENDATION:**

That Tweed Shire Council becomes a "XXX" sponsor for "Northern Stars - Under the Big Top" (\$XX,000).

## Reports from Director Corporate Services

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**REPORT:**

As per the Summary.

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## Reports from Director Corporate Services

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**5. ORIGIN:** Director

**FILE REF:** Australian Local Government Association; Councillors-Conferences

**REPORT TITLE:**

**2002 National General Assembly of Local Government 3-6 November 2002**

**SUMMARY OF REPORT:**

Advice has been received providing the program and registration details for the 2002 National General Assembly of Local Government.

The Assembly is to be held in Alice Springs from 3-6 November 2002 and are seeking motions to be considered at the General Assembly.

**RECOMMENDATION:**

That Council identifies issues that can be framed for motions to be placed on the agenda of the 2002 National General Assembly of Local Government.

## Reports from Director Corporate Services

### REPORT:

As per summary.

### 2002 National General Assembly of Local Government

#### CALL FOR MOTIONS

The 2002 National General Assembly of Local Government once again provides your Council with the opportunity to contribute to Local Government's national policy platform

**Motions must address national issues for Local Government and can seek to modify existing policy or raise new items.**

In response to numerous concerns expressed by delegates on our feedback forms in past years about the nature and clarity of some motions and their relevance to whole of Local Government, ALGA has devised a *pro forma* to assist Councils in clearly demonstrating the national importance of their motion. This *pro forma* is provided overleaf and should be used to assist your Council in considering motions for submission. Further information on how best to formulate your motion is provided at [www.alga.com.au](http://www.alga.com.au) in the National General Assembly of Local Government section.

**Please note:**

1. As in previous years, to facilitate discussion and efficiently handle the volume of motions received, motions of similar substance will be grouped together and distilled into composite motions for consideration.
2. All motions consistent with existing policy will be grouped together for consideration as a block or by exception.
3. Any motions received that are deemed to be primarily concerned with local or State based issues will be referred to the relevant State/Territory Association(s) for consideration at that level.
4. Motions adopted by the National General Assembly will be formally considered by the National Executive of the Australian Local Government Association at their meeting on 6 November 2002. The ALGA Executive is not bound by any resolution passed by the National General Assembly of Local Government.

We look forward to your Council's active participation in this important event for Local Government.

Motions should be received by ALGA no later than 12 September 2002. Motions can be mailed, faxed, or, preferably, emailed to ([motions@alga.com.au](mailto:motions@alga.com.au)). For additional "Call for Motions" forms please refer to the ALGA website ([www.alga.com.au](http://www.alga.com.au)) or email your request to the address above.

# Reports from Director Corporate Services

## 2002 National General Assembly of Local Government Call for Motions Pro Forma

*Attachments of no more than 1 additional page will be accepted  
Further information on how to approach developing a motion can be found at  
[www.alga.com.au](http://www.alga.com.au) in the National General Assembly of Local Government section.*

**Motion:**

**Purpose:** Please refer to the National Agenda for Australian Local Government  
([www.alga.com.au](http://www.alga.com.au)) to determine if the motion is:

New Policy       Modifying Existing Policy       Supporting Existing Policy

**National Objective:** (Please provide a brief description of what the motion is intended to achieve.)

**Background:** (max 250 words)

**Policy Category (please tick appropriate policy area(s):**

Intergovernmental Relations	<input type="checkbox"/>	Finance & Micro-Economic Reform	<input type="checkbox"/>
Regional & Economic Development	<input type="checkbox"/>	People and Community	<input type="checkbox"/>
Environment and Planning	<input type="checkbox"/>	Communications Technology	<input type="checkbox"/>
Transport	<input type="checkbox"/>	Infrastructure	<input type="checkbox"/>
Indigenous Issues	<input type="checkbox"/>	International Links	<input type="checkbox"/>

Other: \_\_\_\_\_

**Contact Information:**

Name of Council: \_\_\_\_\_ State/Territory \_\_\_\_\_

Contact Person (name, title) \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Regional Organisation of Councils:  
(Name of Council co-sponsoring motion) \_\_\_\_\_

Motions should be received by ALGA no later than 12 September 2002. Motions can be mailed, faxed, or, preferably, emailed to ([motions@alga.com.au](mailto:motions@alga.com.au)). For additional "Call for Motions" forms please refer to the ALGA website ([www.alga.com.au](http://www.alga.com.au)) or email your request to the address above.

## Reports from Director Corporate Services

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## Reports from Director Corporate Services

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**6. ORIGIN:** Director  
**FILE REF:** Insurance - General

**REPORT TITLE:**

**Statewide Mutual - Position Statement**

**SUMMARY OF REPORT:**

The Chairman of Statewide Mutual has written to the General Manager in response to concerns raised within Local Government regarding the financial position of Statewide Mutual.

The organisation has provided a Position Paper to clarify their current situation.

**RECOMMENDATION:**

That this report be received and noted

## Reports from Director Corporate Services

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### REPORT:

The attached letter has been received by Dr John Griffin from Mr Terry Kiss, Chairman of Statewide Mutual and it outlines concerns raised within Local Government in the form of a Position Paper.

# Reports from Director Corporate Services

**Statewide Mutual**  
Managed by Jardine Lloyd Thompson Pty Limited

ABN 51 644 247 443

Level 2  
215-217 Clarence Street  
GPO Box 7003  
Sydney, NSW 2001

Telephone (02) 9320 2700  
Facsimile (02) 9262 1267  
DX 13032 Market Street  
Direct Dial 02 9320 2706  
Email [attej@jlt.com.au](mailto:attej@jlt.com.au)



26 August 2002

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

TWEED SHIRE COUNCIL	
FILE No.	INSURANCE Gen
DOCUMENT No.	[ ] [ ] [ ] [ ] [ ] [ ]
RECD	29 AUG 2002
BORN No.	[ ] [ ] [ ] [ ]
ASSIGNED TO	GRiffin J
HARD COPY	<input type="checkbox"/>
IMAGE	<input checked="" type="checkbox"/>

Dear Mr Griffin,

**RE: STATEWIDE MUTUAL**

I am aware that there is some concern within Local Government circles as regards the financial situation of Statewide Mutual. In order to clarify matters a Paper is being distributed that quite clearly outlines Statewide's position.

I also note that neither the Local Government Auditors Association, nor the Department of Local Government initiated discussions with Statewide prior to issuing their edict concerning the recognition of "Insurance Liabilities".

I would ask you to familiarise yourself with the Paper and if you wish to discuss any issue whatsoever, please feel free to contact myself [Coolamon Shire Council, (02) 69301814 (direct line)] or Mr Leo Demer, [Jardine Lloyd Thompson on 93202702 (direct line)] or alternatively you may speak to your representative on the Board or your Council's JLT Broker.

Yours faithfully,

Terrey Kiss,  
**CHAIRMAN.**

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DataWorks Document Number: 692802

# Reports from Director Corporate Services

**Statewide Mutual**  
Managed by Jardine Lloyd Thompson Pty Limited ACN 009 098 864



## Statewide Mutual

### Position Paper

#### Introduction

Statewide Mutual commenced operation on the 31<sup>st</sup> December, 1993 following the withdrawal from the insurance market of underwriters prepared to accept Local Government risks. Councils were faced with 300% premium increases and, at the same time, also subject to steep increases in the levels of deductibles (excesses).

This came about for two principal reasons. Firstly, a general contraction in the insurance market capacity where only perceived "good" risks received reasonable renewal terms and, secondly, the unsatisfactory claims record of Local Government generally. There was a perception that Councils were "very poor" risks due to their extensive range of services and activities involving business, investment operations, ratepayers and, most specifically, the public at large. All insurers who had ever underwritten Local Government risks had sustained substantial underwriting losses.

As a result of this crisis in the Local Government liability area an alternative means of insurance protection was required and other avenues of cover were explored endlessly. The most viable option available was the Mutual Fund concept. The model which was used was the Mutual scheme established by Jardine Australian Insurance Brokers (now known as Jardine Lloyd Thompson or JLT), in South Australia in the mid to late 1980s.

Following South Australia, during 1993 and 1994 every mainland State of Australia introduced such a Mutual Fund, with Tasmania joining the Victorian scheme in the late 1990s. Additionally in NSW, smaller "pools" were established as an alternative to the larger and more protective nature of the Mutual Funds. Of the 8 small pools which were established, only two risk carrying pools remain in operation today.

**It is a fact of commercial reality without the establishment of Statewide Mutual, Councils would not have been able to secure any affordable insurance protection whatsoever.**

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# Reports from Director Corporate Services

## **Statewide Mutual**

Managed by Jardine Lloyd Thompson Pty Limited ACN 009 098 864



### **Statewide Structure**

Statewide commenced operation on the 31<sup>st</sup> December, 1993 offering public liability, products liability and professional indemnity cover up a limit of \$100M. It retained, to the Fund, the first \$2M of each claim and purchased reinsurance for claims exceeding the \$2M limit. Additionally, the Fund was further protected by Aggregate Stop Loss cover.

Administratively, Statewide is controlled and directed by the Board of Management which is comprised of eleven (11) officers of Member Councils, being one representative for each of the Regional Divisions outside the Sydney Metropolitan Area and two representatives for the Sydney Region. In addition the Local Government Association and the Shires Association are invited to nominate a Board Member. There are three representatives from Jardine Lloyd Thompson also serving on the Board.

The Board of Management controls all facets of the operation of Statewide in its own right and through a number of Committees, i.e. Finance Committee, Risk Management Committee (which includes training) and a Claims Committee. These Committees are comprised of various Board Members and some outside experts. The Board sets the policy and the scheme manager, Jardine Lloyd Thompson (JLT) carries out the policy as directed by the Board. The full duties and responsibilities of the Board and JLT are contained in the Deed of Establishment which each Member Council has executed under Seal and is also available on the Statewide Website.

Statewide currently has 173 Members (155 "General Purpose" Councils and 18 "County" Councils) and provides public/product liability and professional indemnity cover of \$200M. Since the 30th June, 1998 Statewide has had NO self-insured retention. The claims responsible for the current deficit are the claims occurring between 31<sup>st</sup> December, 1993 and the 30<sup>th</sup> June, 1998 when Statewide did have a \$2M self insured retention.

### **Mutual Fund Development**

Statewide was established following extensive actuarial analysis of all claims details from the preceding 10 years. The professional advice provided to the Working Party was to the effect that the Fund could be successfully established with Councils paying into the Fund the equivalent of their existing/expiring year's premiums, and this was the basis on which the Fund commenced.

The claims information on which the 1993 actuarial study was based was drawn from the existing insurers who were, in the main, GIO Australia, FAI and HIH. As is now known and

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# Reports from Director Corporate Services

**Statewide Mutual**

Managed by Jardine Lloyd Thompson Pty Limited ACN 009 098 864



accepted, the claims information provided by the latter two insurers was corrupt in the extreme. Evidence given to the current Royal Commission clearly demonstrates that claims costs were deliberately understated by substantial margins. Therefore all actuarial studies were based on incorrect data, and this fact has been a central cause of the "Operating Deficit" of Statewide and other Pools and interstate Mutual Funds. Unfortunately, due to the long tail nature of liability insurance, flaws in the claims details provided by the insurers did not manifest in financial terms until 3 to 4 years after the commencement of Statewide. This position was mirrored in other Australian States for the same reason. From that point on the Board of Statewide worked tirelessly to arrest the situation.

A major strategic initiative was taken, on a National basis, in June 1998 when the mainland State's Mutual Funds combined their resources to purchase a National Reinsurance Programme which eliminated the self-insured element of the Funds. The substantial volume of premium in a "soft" market enabled JLT to introduce a programme where ALL Mutual Funds generated "guaranteed surpluses".

The National Reinsurance Programme achieved the fixing the reinsurance premiums for the first two years, and then the application of only CPI increases for the next three years. This programme has enabled the Mutual Funds to apply the surpluses generated over the past five years against the "operating deficits" of the earlier years. This innovative approach will see all the Mutual Funds return to "operating surpluses" at June 2003 or 2004.

As a matter of interest, the surpluses generated for Statewide under the Reinsurance Programme put in place in 1998 are:

1998/1999 Year	\$ 2,236,000
1999/2000 Year	\$ 3,749,000
2000/2001 Year	\$ 4,469,000
2001/2002 Year	\$ 5,406,000
2002/2003 Year (Projected)	\$11,000,000

It must be commented that during the 10 years of Statewide's existence substantial unheralded work has been undertaken. Apart from the premium stability and cover provided to Councils, it might not be known that Statewide has made numerous submissions to the State Government concerning legislative protection and Tort Reform. Submissions were

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# Reports from Director Corporate Services

## **Statewide Mutual**

Managed by Jardine Lloyd Thompson Pty Limited ACN 009 098 864



made to the Attorney-General's Department, the Local Government Department and directly to the Government through the Public Bodies Review Committee.

The common thread throughout these submissions was the fact that unless the Government moved to arrest the liability position then the costs, to Local Government in both claims and premiums, would substantially increase. Actuarial advice was commissioned and received to support these submissions, however no action was taken by the respective State Government Departments, including the Local Government Department.

It gives Statewide no joy to see that the predictions it made have come true and, but for the inaction of the Government at an earlier stage, the measures taken recently may not have been required to have been quite so severe. Statewide's concerns were so roundly ignored by the appropriate authorities and those authorities cannot now criticise Statewide for its financial position

### **Statewide Accounts**

Statewide looks at its Accounts in two distinct parts. One being the position having regard to its actual operations, and the other being its position due to the HIH insolvency. Whilst the "Total Deficit" at June 2002 will be around \$47M, \$24M is represented by the bad debt provision for HIH. The "operating deficit", accrued through trading, is circa \$23M.

Due to the Reinsurance Programme, Statewide will generate a surplus for the 2002/2003 Year of around \$11M, resulting in an expected \$12M "operating deficit" at June 2003.

Depending on the renewal terms offered for the Reinsurance programme, the actuaries predict that the "operating deficit" will be eliminated by June, 2004. It should also be noted that included in the current "operating deficit" of \$23M are additional claims provisions amounting to \$15M. This is over and above the actual estimated costs for each unfinalised claim at June 2002. [This means that if all claims are settled at their current individually estimated cost, or rather the cost estimated by Statewide's panel of lawyers as all these claims are litigated, then \$15M of unallocated funds will be available for distribution back to Members, either actually or notionally.]

The HIH component of the "Total Deficit" is \$24M, and numerous discussions have taken place with the State Government. The most recent of these was on the 5<sup>th</sup> August, when it was disclosed that the Federal and State Governments are close to advising the nature of the funding package to be made available to Local Government

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# Reports from Director Corporate Services

## Statewide Mutual

Managed by Jardine Lloyd Thompson Pty Limited ACN 009 098 864



It is worth mentioning here that whilst Statewide Mutual's exposure to the HIH situation is estimated at \$24M, the Local Government exposure for New South Wales, as assessed by Price WaterhouseCoopers on behalf of the State Government, is between \$70M and \$100M. This substantial exposure, in excess of Statewide's \$24M debt, is comprised of the cost of claims made against Councils prior to them entering Statewide (where HIH/FAI was their primary insurer) and, obviously, the cost of claims made against Councils which are still not members of Statewide and which extensively used HIH/FAI, up until very recent times, as their primary insurer. It should also be noted that the smaller pools used HIH exclusively as their reinsurer for many years.

Should the strategy implemented to fund the "operating deficit" prove successful as is advised by KPMG Actuaries, it will have been achieved by maintaining a satisfactory degree of stability to premium levels, which was a major Statewide objective. This issue of cost stability is evidenced by the actual increases in contributions as follows:

Fund Year 2	Nil% increase
Fund Year 3	5% (Health Insurance Commission Legislation)
Fund Year 4	Nil% increase
Fund Year 5	10% increase
Fund Year 6	10% increase
Fund Year 7	10% increase
Fund Year 8	10% increase
Fund Year 9	35% increase

All these increases have been based on actuarial advice. These increases are well below the increases sustained by the market in general, particularly for the 2002/2003 Year where the usual increase in liability premiums was well in excess of 50%, and substantially more for some industries.

### Statewide's Achievements

- > First of all, Statewide has provided insurance protection which would not otherwise have been available to Councils in this State and this fact should not be ignored nor forgotten.

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DataWorks Document Number: 692802

# Reports from Director Corporate Services

## Statewide Mutual

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- Relative premium stability has been provided to the Members of Statewide. An increase of 35% for 2002/2003 in an environment of 50% to 3000%\* increases is nothing short of remarkable, especially when not accompanied by a sharp increase in deductible levels.  
[\* The "Insurance & Risk Professional Journal", August- September 2002 comments "The June renewals season was the worst many intermediaries have ever experienced. The tightening market has directly affected thousands of businesses, which have had to find the money to pay premiums that jumped from a low of about 50 per cent to as high as 3000 per cent...  
...June this year was the first in which many businesses could not afford to pay the premiums for long-tail liability classes. Some could not obtain liability cover at any price."  
...Analysts in Australia and the United States say premiums will rise until at least the end of 2004.\*]
- The establishment of a Fidelity Guarantee Mutual Fund which has a Surplus of \$422,760 at June, 2002.
- The establishment of a Property Mutual which has a Surplus of \$1,172,707 at June, 2002. This scheme provides the lowest Property premiums available in Australia.  
**Recent tenders have resulted in the Statewide Property Mutual being the only organisation capable of providing any quotations at all for Council Property insurance.**  
  
The establishment of the Property scheme and the Fidelity Guarantee scheme were facilitated by of the existence of the Statewide Mutual Liability scheme.
- The production of the Best Practice Manuals and general promotion of Risk Management throughout the State with the creation of the Regional Risk Management Groups. Additionally, Statewide has employed a full-time Risk Manager at Coffs Harbour who is available to assist all Councils in the area. Another three full-time employed Risk Managers will come on-stream over the next 12 months
- As mentioned earlier, Statewide has prepared numerous submissions outlining recommended legislative reform. Many of those recommendations are, at last, being adopted by the State Government under the Civil Liability Act, stages 1 and 2, as well as at the Federal level.

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# Reports from Director Corporate Services

**Statewide Mutual**

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## “Call” Provisions Under the Statewide Deed

A matter that the Board has considered on a number of occasions revolves around the need to make a Special Call on Members. Whilst the Deed makes provision that a Call must be made to rectify any deficit, there are other matters to consider before such action is taken.

The Board has made decisions which have seen Statewide arrange its insurance protection in a manner that surpluses have been generated since 1998. These surpluses have been used to offset the “operating deficit” accrued during the time that Statewide had the \$2M self insured retention (up to June 1998). Through Statewide’s trading from that date it is expected, based on actuarial advice, that the annual surpluses will totally eliminate the “operating deficit” by June, 2004

In circumstances where Statewide does not have a cash flow problem, any Call made on Members would see the Funds raised by that Call sit in an investment account accruing interest to the Fund, rather than remaining with the Member Councils. In such a situation the Board believes that to make a Call would not provide any real advantage whatsoever to the Members themselves.

The Board believes that it is much more reasonable and responsible to allow the future surpluses to erode and finally eliminate the deficit, through acceptable annual contribution increases in accordance with actuarial advice, rather than seek a “one-off” substantial payment which may sit in an investment account for a number of years until all claims are finalised. In this case, due to the considerable provisions (\$15M) included in the accounts, it may be then necessary to refund any unrequired portion of the Call back to Members.

The position taken by the Board on this issue is considered by the Actuaries and the Auditors to be most appropriate, as is demonstrated by the auditor’s “Note to the Accounts” of Statewide

## Conclusion

Statewide has achieved a great deal on behalf of Local Government in NSW, especially in view of the numerous hurdles which it has had to overcome. It has introduced many innovative solutions to the problems faced, which often have been simply taken for granted rather than been congratulated. There has been a continuing substantial problem with unchecked liability exposures and this has been particularly brought to the attention for Local Government this year with the collapse of HIH and the capacity problems of the insurance

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# Reports from Director Corporate Services

## Statewide Mutual

Managed by Jardine Lloyd Thompson Pty Limited ACN 009 098 864



market. It is only necessary to look at the experiences of Councils outside Statewide to see just how unfavourably the insurance market regards Council liability exposures

The impact of the Civil Liability Act and other State and Federal reforms including the reintroduction of the Non-feasance Doctrine will, undoubtedly, reduce the number and costs of future claims and will also impact on current unfinalised claims. Additionally, the legislative reforms will assist in the negotiation of Statewide's reinsurance programme. The way ahead certainly provides a much improved claims environment than has existed for the past 10 years of Statewide's existence.

Statewide is now in a position where it has passed through the most difficult of times and is poised, through innovation and foresight, to place the scheme on a strong financial footing. Local Government has remained insulated, to a substantial extent, to the disastrous premium increases happening in the Liability market and which are being reported in the media on a daily basis. The containment of premium costs within reasonable limits for Local Government, as opposed to other industries, is due to the very existence of Statewide Mutual and the ability to use the Membership strength to secure concessions from the volatile reinsurance market. This Membership support will be even more important during the next few years as the insurance market becomes more difficult to predict.

The past support of Member Councils has been very much appreciated, and the future support is welcomed for the mutual benefit of Local Government.

26<sup>th</sup> August, 2002

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## Reports from Director Corporate Services

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## Reports from Director Corporate Services

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**7. ORIGIN:** Financial & Information Services Unit

**FILE REF:** Comparative Information; Financial Reporting; Budget

**REPORT TITLE:**

**Financial Indicators - 2000/01 Comparative Information on NSW Councils Provided by the Department of Local Government**

**SUMMARY OF REPORT:**

The 2000/01 Comparative Performance Information for Councils in NSW has been released by the Department of Local Government. This report outlines the key annual financial indicators for Tweed Shire Council compared to the State averages.

**RECOMMENDATION:**

That this report be received and noted.

# Reports from Director Corporate Services

**REPORT:**

**BACKGROUND**

The 2000/01 Comparative Performance Information for NSW has been released by the Department of Local Government. This report outlines the key annual financial indicators for Tweed Shire compared to State averages and enables assessment of performance in key financial areas.

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

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

**MAKING COMPARISONS**

*“It is designed to help both the community and council assess the performance of their council against a broad range of activities*

*Source: Dept of Local Govt Sept 2002”*

**2000/01 FINANCIAL INDICATORS - NSW AVERAGE: TWEED SHIRE COUNCIL(TSC)**

**1. Average Rate Per Residential Property Assessment**

NSW	GROUP	TSC
\$550.00	\$573.90	\$541.13

**2. Average Rate Per Farmland Assessment**

NSW	GROUP	TSC
\$1337.00	\$1228.94	\$975.67

**3. Average Rate Per Business Assessment**

NSW	GROUP	TSC
\$3232.00	\$3950.77	\$1751.34

**4. Account Average Comparison**

		NSW \$	TSC \$
Item 1	Residential Rate	550.00	541.13
Item 7	Domestic Waste	178.00	143.88
Item 9	Sewerage	331.00	411.49
Item 11	Water	399.00	236.49
	Total Average Account	\$1458.00	\$1332.99

## Reports from Director Corporate Services

### 5. *Local Government Source of Income*

<b>REVENUE -SOURCES OF FUNDS</b>	<b>NSW</b>	<b>TSC</b>
Rates & Annual Charges	49%	43%
User Charges & Fees	16%	12%
Interest	4%	6%
Grants	17%	12%
Cash Contributions )	12%	26%
Non-Cash Contributions )		
Other Revenue	3%	1%

Matters that impact are income sources, level of government funding, rate of development and population growth and socio-economic characteristics of Council. The indicator assesses the degree of dependence on alternative sources of revenue.

### 6. *Current Ratio*

The ratio is a measure of a council's ability to meet its financial objectives such as payment for goods and services. A ratio greater than 1:1 indicates that unrestricted current assets exceed current liabilities. It is an indication of a council solvency and ability to meet short term liabilities with its current assets.

Current Ratios

<b>NSW</b>	<b>TSC</b>
1:1.97	1:1.94

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

### 7. *Debt Service Ratio*

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

Debt Service Ratio

<b>NSW</b>	<b>TSC</b>
7%	11.69%

The use of loan funds is considered a prudent financial strategy allowing for contribution to the asset over its life by those who use it. For developing Councils such as Tweed a ratio of up to 20% is considered reasonable.

### 8. *Total Operating Expense per Capita*

Measures the total operating expense excluding capital expenditure on a per capita basis (excluding water and sewerage).

<b>NSW</b>	<b>TSC</b>

## Reports from Director Corporate Services

\$731	\$693.99
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### 9. *Capital Expenditure Ratio*

The indicator is a measure of whether asset maintenance and replacement is keeping up with depreciation. It determines council's ability to replace or add to capital assets compared with the consumption (depreciation) of assets. A ratio of 1:1 indicates that the increase in assets equals the amount of depreciation expense.

NSW	TSC
1:1.46	1:1.14

### 10. *Total Operating Revenue per Capita*

This measure is a basic indicator of the revenue available to service the needs of the community. (Does not include water and sewerage rates).

NSW	TSC
\$701	\$584.71

### 11. *Outstanding Rates, Charges and Fees*

The percentage of rates, charges and fees unpaid at the end of the year.

NSW	TSC
7%	11.10%

Tweed Council's higher ratio includes rate, water consumption and sewerage charges accounts not issued until the end of the financial year and paid in the next financial year. This increases Council's percentage compared to state average. The ratio reflects the lower income groups represented in the Tweed and the arrangement to repay rates over a period of time.

### 12. *Direction of Expenses from Ordinary Activities*

This indicator assesses the expenditure pattern of annual

	NSW	TSC
Employee Costs	37.6%	31.78%
Materials and Contracts	24.1%	23.57%
Borrowing Costs	1.9%	4.52%
Depreciation	21.8%	29.12%
Other Expenses	14.6%	11.00%

### 13. *Library Expenses Per Capita*

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

NSW	TSC
\$26.00	\$15.15

## Reports from Director Corporate Services

Council increased its financial commitment to library services in the 2001/02 and 2002/03 budgets. These expenses only relate to operation expenses.

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

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

NSW	TSC
\$178.00	\$143.88

### 15. *Costs per Service for Domestic Waste Collection*

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

NSW	TSC
\$109.00	\$96.17

### 16. *Sewerage Average Account (\$ per connection)*

NSW	TSC
\$331.00	\$411.49

This indicator includes all revenue from sewerage rates and charges. Tweed Shire Council has a Loan Program that increases costs. Depreciation costs are also funded.

### 17. *Sewerage Operating Costs per Connected Property*

NSW	TSC
\$339.00	\$365.00

This indicator assesses the costs of providing average services. Tweed Shire Council funds depreciation costs.

### 18. *Water Average Account (\$ per connection)*

NSW	TSC
\$399.00	\$236.49

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

### 19. *Water Operating Costs per Connected Property*

NSW	TSC
\$388.00	\$296.92

## Reports from Director Corporate Services

This indicator includes the costs of providing water supply services.

### 20. *Population Growth/5 Year Average*

Tweed's Shire's population growth of 3.27% (5 year average) is the fifth highest in NSW.

### 21. *Community Services Expenses Per Capita*

NSW	TSC
\$41.00	\$6.04

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

Costs included in this indicator are community centres, childcare centres, youth centres, senior citizen centres and community staff.

### 22. *Legal Expenses (Planning & Building Control) to Total Planning & Regulatory Building Costs*

NSW	TSC
11%	3.05%

The objective of this indicator is to highlight the level of disputation in the "Planning and Development" process. Factors affecting this percentage include nature and complexity of building and development, legislation complexity, as well as Council policies.

### 23. *Environmental Management and Health Services Per Capita*

NSW	TSC
\$19.00	\$20.82

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

### 24. *Net Recreation and Leisure Expenses Per Capita*

NSW	TSC
\$59.00	\$44.04

Expenses relating to this indicator includes recreational, swimming pools operations, sporting grounds and parks, multi-purpose recreation facilities and tennis courts.

## Reports from Director Corporate Services

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

COUNCIL	Staff/1000 Population
1 BALLINA	5.34
2 HASTINGS	5.89
3 GOSFORD	5.94
4 YARROWLUMLA	6.01
5 LISMORE	6.35
6 WYONG	6.43
7 COFFS HARBOUR	6.43
8 PRISTINE WATERS	6.48
9 NARRABRI	6.53
10 <b>TWEED</b>	<b>6.68</b>
11 QUEANBEYAN	6.82
12 WINGECARRIBEE	6.94
13 NAMBUCCA	7.11
14 DUBBO	7.30
15 PARRY	7.35
16 SINGLETON	7.47
17 LEETON	7.49
18 BYRON	7.53
19 DENILQUIN	7.66
20 YOUNG	7.72
21 SHOALHAVEN	7.87
22 ORANGE	7.89
23 DUNOGG	7.97
24 BELLINGEN	7.97
25 MUSWELLBROOK	8.00
26 GRIFFITH	8.07
27 TAMWORTH	8.13
28 GRAFTON	8.26
29 BEGA VALLEY	8.40
30 ALBURY	8.49
31 COROWA	8.65
32 COPMANHURST	8.72
33 LITHGOW	8.74
34 GOULBURN	8.92
35 ARMIDALE	8.96
36 EVANS	9.17
37 COOTAMUNDRA	9.34
38 CULCAIRN	9.50
39 TUMUT	9.58
40 PARKES	9.65
41 SCONE	9.91
42 MUDGEE	9.96
43 HUME	9.98
44 KYOGLE	10.03
45 BATHURST	10.13
46 BERRIGAN	10.25
47 KEMPSEY	10.29
48 FORBES	10.41
49 GLEN INNES	10.48
50 MULWAREE	10.65
51 COWRA	10.72
52 NUNDLE	11.04
53 NARROMINE	11.22
54 EUROBODALLA	11.48

## Reports from Director Corporate Services

55 RICHMOND VALLEY	11.53
56 NARRANDERA	11.54
57 GUYRA	11.61
58 MURRAY	11.68
59 GUNNEDAH	11.70
60 WENTWORTH	12.12
61 MURRUMBIDGEE	12.32
62 YASS	12.33
63 INVERELL	12.56
64 HAY	12.70
65 MOREE PLAINS	12.82
66 COOMA-MONARO	12.85
67 OBERON	12.96
68 CROOKWELL	13.41
69 CABONNE	14.34
70 URALLA	14.51
71 GUNDAGAI	14.63
72 BINGARA	14.63
73 GUNNING	14.80
74 WAKOOL	14.81
75 COONABARABRAN	15.06
76 SNOWY RIVER	15.20
77 HARDEN	15.23
78 TENTERFIELD	15.23
79 WALCHA	15.37
80 WALGETT	15.47
81 CONARGO	15.56
82 GLOUCESTER	15.57
83 MANILLA	15.66
84 WELLINGTON	15.74
85 BALRANALD	16.02
86 QUIRINDI	16.88
87 BARRABA	17.52
88 SEVERN	17.71
89 BOMBALA	18.51
90 TUMBARAMBA	18.79
91 BOGAN	19.11
92 CENTRAL DARLING	19.12
93 MURRURUNDI	19.12
94 RYLSTONE	19.19
95 COOLAH	19.23
96 LACHLAN	20.45
97 COONAMBLE	21.43
98 YALLAROI	22.27
99 BOOROWA	22.75
100 WARREN	22.95
101 BOURKE	24.20
102 JERILDERIE	24.27
103 COBAR	25.21
104 TALLAGANDA	26.63
105 MERRIWA	28.88
106 BREWARRINA	30.22
107 CARRATHOOL	30.51
108 GILGANDRA	31.93
<b>Average</b>	<b>12.97</b>



## Reports from Director Corporate Services

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### **DEPARTMENT OF LOCAL GOVERNMENT MONITORING**

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

### **GENERAL COMMENTS**

Tweed Shire Council has for many years made extensive use of these and other performance information and indicators to support and improve its management practices.

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## Reports from Director Corporate Services

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# Reports from Director Engineering Services

**8. ORIGIN: Water Unit**

**FILE REF: Water - Capital Works Program - General; Sewerage - Capital Works Program - General**

**REPORT TITLE:**

**Water and Sewerage Capital Works Program 2002 / 2003**

**SUMMARY OF REPORT:**

The following report sets out the Water and Sewerage Capital Works Program for the 2002/03 financial year. It also includes future significant works proposed for the next 5 years.

All Project Estimates contained in this program have been included in the 2002/03 Management Plan. The adopted Capital Works Budget for Water Supply is \$18.2 Million and for Sewerage is \$20.8 million.

**RECOMMENDATION:**

That Council adopts the Water and Sewerage Capital Works Program for the 2002 / 2003 financial year as detailed in the attached report.

## Reports from Director Engineering Services

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### REPORT:

As part of the on going development within the Shire there are significant water and sewerage capital works planned for the next 5 years. These works are a result of growth, asset replacement and enhancement of treatment and conveyancing.

The following table details the capital works program for Water and Sewerage Works for the 2002/03 financial year as well as future significant works to 2007. It is noted that the future works are mostly dependant on development and are therefore subject to change both in scope of works and timing.

It should be noted asset replacement programs are being developed and refined to integrate with development works which will likely result in significant annual reviews of this Capital Works Program.

All Project Estimates contained in this program have been included in the 2002/03 Management Plan. The adopted Capital Works Budget for Water Supply is \$18.2 Million and for Sewerage is \$20.8 million.

The following is a summary of the projects detailed in this program:-

### WATER SUPPLY CAPITAL WORKS

#### Dams and Weirs

The steel grillage protecting the rock armour on Bray Park Weir is in poor condition and requires attention in the immediate future. The Detail design for the removal of the steel grillage and replacement with concrete capping has been completed. Council and the adjoining property owners are currently in the process of developing a Plan of Management for the weir pool. Once the plan is completed tenders will be called for the refurbishment of the weir. It is proposed to commence construction of the works in June 2003.

Various options are being considered to increase the capacity of Tyalgum Water Supply, namely raising the weir and excavating a section of the weir pool. Depending on approvals this work may or may not proceed.

Clarrie Hall Dam spillway requires upgrading to allow it to pass the revised Probable Maximum Flood. This project is currently in the Concept Stage. Dependant on the outcomes of the Strategic Bulk Water Supply Review this project may also include raising the dam wall to increase capacity.

#### Water Treatment Plants

Various minor works are required in this financial year to comply with environmental and OH&S requirements. The major work identified for completion in the next 3 years is the Augmentation of Bray Park Water Treatment Plant. This Augmentation is required to increase the maximum throughput of the plant to 75ML/day and to upgrade the treatment process in line with current technologies and water quality objectives. This Augmentation will be one in a number required over the next 10 years to meet growth requirements. The size and number of augmentations will be finally based on the best financial outcome. An options report has been completed by consultants which once reviewed will provide a basis on which to proceed with the Concept design.

#### Water Pumping Stations

The two major pump station projects for this financial year are WPS No. 3 at Chinderah (Upgrade of existing) and No. 13A at Pottsville, which will replace the existing station No. 13. WPS 13A will

## Reports from Director Engineering Services

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be required as part of the Coast Road trunk main upgrade to link from Casuarina to the new reservoirs at West Pottsville through the "Seabreeze" estate. Tenders are currently being called for the Detailed Design of both pump stations.

The construction of WPS No. 2 at Bray Park Water Treatment Plant is programmed for completion in December 2004. Detailed concepts for the works are currently being finalised.

### **Service Reservoirs**

As a result of growth primarily in the Coastal zone the program requires the construction of 8 reservoirs over the next four years. This financial year will see the construction of the first 5 ML reservoir at West Pottsville on Councils Quarry Site adjacent to Taggetts on the Pottsville Mooball Road. Work has already commenced on construction of the earthworks pad. The other major reservoir to commence this year will be a 13 ML facility on Hospital Hill. This reservoir will replace the existing No. 1 reservoir. Other Reservoirs included in the future four year works program are a second 5 ML facility at West Pottsville, 2 additional 5 ML facilities at Duranbah, a second 5 ML facility at Koala Beach, a second 5 ML facility at Marana St (Terranora Country Club), and a 5 ML facility at Stotts St (for Cobaki).

### **Major Distribution Mains**

As mentioned previously a 450 mm diameter trunk main is being constructed from Casuarina to West Pottsville. A section of the main will also link from the new West Pottsville Reservoirs to the existing 300mm main in Kellehers Road. Finally as part of the Kingscliff Strategy a new trunk main is proposed from Chinderah to Kingscliff Reservoir via Elrond Drive. This work is divided into sections as detailed in the program. This year will see the completion of the main from Tamarind Ave Bogangar to Seabreeze Estate Pottsville.

As in previous years the upgrade from 500mm to 1086 mm diameter trunk main from Murwillumbah to Chinderah continues with another 2.4 km included in the program.

### **Reticulation Mains**

Various reticulation mains will be replaced as part of the asset replacement program as well as the opportunity provided by the Works Unit Roads Program.

### **SEWERAGE CAPITAL WORKS**

#### **Small Town Sewerage Schemes**

Uki Sewerage Scheme will be completed in this financial year. This project is 71% funded by State Government. Contracts for both the Sewage Treatment Plant and Reticulation Network have been let.

Burringbar Sewerage Scheme is currently in the Options Phase. The Community Reference Group has reviewed the Options Report and this will now be reported to Council with a recommendation for the next stage of Community Consultation to commence.

#### **Sewage Treatment Plants**

In this financial year construction of both the Interim Upgrade at Kingscliff STP and Hastings Point STP will commence. Kingscliff Interim Upgrade is required to provide sufficient capacity until the new plant is constructed. Hastings Point STP is to be upgraded to provide additional capacity and treatment improvements.

## Reports from Director Engineering Services

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Augmentation of Banora Point STP UV disinfection system is currently in the tender assessment phase. The disinfection facility is to be replaced and upgraded to provide enhanced disinfection.

The effluent disposal strategy for West Tweed and Banora Point STP's is awaiting engagement of a consultant to conduct the second stage of the consultation process with the community and key stakeholders.

The tertiary treated effluent plant proposed at Murwillumbah STP for the Co-generation Project is proposed for next financial year. Agreements are currently being negotiated on this project with the Joint venturers. This project is dependent on the Joint Venturers obtaining approval for their second plant at Broadwater Mill.

The EIS for the proposed new Kingscliff site is currently in the draft stage and it is envisaged that the Development Application will be ready for lodgement in November 2002. Commissioning of the new plant is proposed for June 2006.

### **Sewer Pump Stations**

Numerous upgrades of SPS's are included in the program and include telemetry installations, electrical switchboard and pump replacements and associated equipment upgrades.

### **Sewer Rising Mains**

Numerous upgrades, relocations and replacements of Sewer Rising Mains are programmed for this financial year. The projects of most note include the replacement of the rising main (SRM 2038) from Peninsular Drive to Seagulls around Bingham Bay, and the relocation of the rising main (SRM 3001) from the underpass at Sextons Hill to Expo Park via the Western Drainage Scheme.

Future work of most note is the rising main (SRM 2018A) from Gollan Drive Pump Station to Kirkwood Road. The construction of this pipeline will involve the directional drilling of a pipeline under Terranora Inlet to replace the existing submarine mains. Council is currently undertaking survey, geotechnical, and environmental investigations on the project.

### **Gravity Sewers**

Numerous gravity sewer upgrades and relining are included in the program as part of the ongoing asset replacement and development program.

# Reports from Director Engineering Services

<b>Water and Sewage Capital Works Program 2002/03</b>			
<b>Project</b>	<b>Description</b>	<b>Project Estimate</b>	<b>Target Completion Date</b>
<b>WATER SUPPLY CAPITAL WORKS</b>			
<b>DAMS &amp; WEIRS</b>			
Bray Park Weir Refurbishment		\$900,000	Dec-03
Additional Storage Tyalgum Water Supply		\$100,000	Jun-03
<b>FUTURE WORKS</b>			
Spillway upgrade Clarrie Hall Dam		\$2,600,000	Dec-06
<b>WATER TREATMENT PLANTS</b>			
<b>BRAY PARK WATER TREATMENT PLANT</b>			
Bray Park WTP Chemical Spill Containment	Various civil works to improve Chemical Spill containment	\$20,000	Dec-02
Fluoride Facility Upgrade	Upgrade to meet OH&S requirements	\$100,000	Jun-03
Bray Park WTP Noise Reduction (Backwash)	Determine if required as part of Augmentation strategy	\$80,000	Jun-03
Powder Activated Carbon Upgrade	Upgrade to increase capacity & improve efficiency of dosing facility	\$200,000	Jun-03
Additional Online Monitoring Equipment		\$40,000	Jun-03
<b>TYALGUM WATER TREATMENT PLANT</b>			
Tyalgum WTP Liquid Sodium Hypochlorite Dosing Facilities		\$20,000	Dec-02
<b>FUTURE WORKS</b>			
Major Augmentation Bray Park Water Treatment Plant	Augmentation to 75 Ml/d, plus process improvements	\$15,000,000	Dec-05
<b>WATER PUMPING STATIONS</b>			
<b>WPS No. 3 Chinderah Upgrade</b>			
	OHS & Environmental Upgrade, Pump Replacement & Upgrade	\$700,000	Dec-03
<b>WPS No.13 Pottsville Upgrade</b>			
	Replacement of existing pumps	\$40,000	Dec-02
<b>WPS No.13A, Pottsville</b>			
	Replacement of Existing Pump Station	\$400,000	Dec-03
<b>WPS No. 14 Kingscliff Reservoir Upgrade</b>			
	Upgrade of existing Booster pump station	\$20,000	Dec-02
<b>WPS No. 20 Rayles Lane Booster Upgrade</b>			
	Upgrade of existing Booster pump station	\$15,000	Dec-02
<b>FUTURE WORKS</b>			
<b>WPS 1 &amp; 1A River Intake Upgrade</b>			
	Mech and Elec upgrade for 3rd pump	\$250,000	Jun-04
<b>WPS No. 2 Bray Park WTP</b>			
	Replacement of existing Pump Station Upgrade or New Pump Station / note No. 25 is an alternative to No. 9 upgrade and No. 24	\$4,500,000	Dec-04
<b>WPS No. 9 North Tumbulgum</b>			
<b>WPS No.22 Fraser Dr Chambers Reservoir</b>			
	New booster pump station	\$350,000	Jun-04
<b>WPS No. 24 Tumbulgum</b>			
	New booster pump station / note No. 25 is an alternative to No. 9 upgrade and No. 24	\$500,000	Dec-05

# Reports from Director Engineering Services

<b>Water and Sewage Capital Works Program 2002/03</b>			
<b>Project</b>	<b>Description</b>	<b>Project Estimate</b>	<b>Target Completion Date</b>
<b>SERVICE RESERVOIRS</b>			
Pottsville West Reservoir 5ML No 1	New reservoir at Councils Quarry on Pottsville Moobal Rd	\$1,000,000	Jun-03
Hospital Hill No. 3 Additional 13ML	New reservoir in place of existing no.1 adjacent to existing No.2 (8ML)	\$1,500,000	Dec-03
<b>FUTURE WORKS</b>			
Pottsville West Reservoir 5ML No 2	No.2 reservoir at Councils Quarry on Pottsville Moobal Rd	\$1,000,000	Dec-03
Stott St Reservoir No 1 5ML	New reservoir on new site at the end of Stott St off Piggabeen Rd	\$1,000,000	Jul-04
Duranbah No. 2 Additional 5ML	Adjacent to existing 5 ML reservoir	\$1,000,000	Dec-04
Koala Beach No. 2 Additional 5 ML	New reservoir at higher level than existing No.1 on new site	\$1,000,000	Dec-05
Marana St No 2 Additional 5ML	New reservoir on new site at Terranora Country Club	\$1,000,000	Jun-06
Duranbah No. 3 Additional 5ML	Adjacent to existing 5 ML reservoir	\$1,000,000	Dec-06
<b>MAJOR DISTRIBUTION MAINS</b>			
Trunk main Duplication Coast Rd Tamarind Ave to Cudgera Creek	3.8 km duplication of 450mm dia	\$850,000	Dec-02
Trunk main Duplication Coast Rd Koala Beach to WPS 13(Pottsville)	1.45 km duplication 450mm dia	\$350,000	Jun-03
Trunk Main New WPS 13 to Seabreeze	1.1 km new 375 mm dia	\$200,000	Jun-03
Trunk Main Replacement and Augmentation Bartletts Lane to Tumbulgum	1.3 km replacement 1086mm dia	\$1,500,000	Jun-03
Trunk Main Replacement and Augmentation McLoed St to Johnson Creek	1.1 km replacement 1086mm dia	\$1,200,000	Jun-03
<b>FUTURE WORKS</b>			
Trunk Main Duplication - Hospital Hill Res to Tumbulgum Rd	0.61 km duplication of 900mm dia	\$700,000	Dec-03
Trunk Main Duplication Leisure Drive	0.85 km duplication of 250mm Dia	\$135,000	Dec-03
Trunk Main New Seabreeze to West Pottsville Reservoir	3.0 km new 375 mm dia	\$660,000	Dec-03
Trunk Main Upgrade and Replacement Casurina to Tamarind Ave	1.5 km upgrade of 250 with 450 mm dia	\$360,000	Dec-03
Trunk Main New West Pottsville to Kellehers Rd	1.4 km new 375 mm dia	\$320,000	Dec-03
Trunk Main Duplication Dry Dock Road to Razor Back Reservoir	2.1 km duplication of 300 with 450 mm dia	\$600,000	Jun-04
Services Bridge Crossing with trunk main over Cudgera Creek	Duplication of Bridge crossing	\$450,000	Jun-04
Trunk Main duplication WPS No.3 to Kingscliff Reservoir	4.0 km duplication of 300 with 300 mm dia	\$760,000	Jun-05
Trunk Main Duplication Kennedy Drive Underpass to Boyds Bay Bridge	1.5 km duplication of 225 with 300 mm dia	\$400,000	Jun-05
Trunk Main Duplication Duranbah Reservoir to Kings Forest	3.0 km duplication of 600 with 600 mm dia	\$1,200,000	Dec-05
Trunk Main Duplication Coast Road to New Koala Beach Reservoir	2.0 km duplication of 200 with 300 mm dia	\$400,000	Dec-05
Trunk Main Upgrade Overall Drive	1.05 km upgrade of 200 with 300 mm dia	\$220,000	Jun-06
Distribution Main Terranora Rd from Mahers Lane to Rayels Lane & Reservoir to Fraser Drive	3 km upgrade from 100 to 150mm dia	\$400,000	Jun-06
Trunk Main Duplication Kennedy Drive Underpass west to Piggabeen Rd	1.9 km duplication from 300 to 450 mm dia	\$1,000,000	Dec-06

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W&amp;S Capital Works Program 2002/03



# Reports from Director Engineering Services

<b>Water and Sewage Capital Works Program 2002/03</b>			
<b>Project</b>	<b>Description</b>	<b>Project Estimate</b>	<b>Target Completion Date</b>
<b>MAINS NEW RETIC</b>			
Kingscliff Connections for Pressure Zone - in conjunction with WPS 14 upgrade	0.5 km of new 100mm dia	\$65,000	Dec-02
<b>FUTURE WORKS</b>			
Minjungbal Drive Tweed Heads South	0.3 km of new 150 mm dia development dependent	\$45,000	Dec-04
<b>MAINS REPLACEMENT RETIC</b>			
Numinbah Road Boat Harbour Bridge	replace as part of bridge construction	\$15,000	Jun-03
Wollumbin St		\$50,000	Jun-03
Tumbulgum Road		\$55,000	Jun-03
North Arm Road		\$200,000	Jun-03
Riverview St Wollumbin to James St		\$60,000	Jun-03
Scenic Drive Tweed Heads West		\$15,000	Jun-03
Boscabel Avenue and Old Ferry Road	in conjunction with trunk main	\$50,000	Jun-03
The Parapett		\$35,000	Jun-03
Cambridge St Kingscliff		\$20,000	Jun-03
Kent St to Razorback Reservoir		\$35,000	Jun-03
Colonial Drive Condong	in conjunction with trunk main	\$30,000	Jun-03
McLoed St Condong		\$80,000	Jun-03
Quarry Rd		\$30,000	Jun-03
Lundberg Dr		\$45,000	Jun-03
Byangum Rd		\$50,000	Jun-03
Tyalgum Rd		\$30,000	Jun-03
	<b>Total</b>	<b>\$800,000</b>	
Mains replacement in conjunction with Roads Program	various sites	\$500,000	Jun-03

# Reports from Director Engineering Services

<b>Water and Sewage Capital Works Program 2002/03</b>			
<b>Project</b>	<b>Description</b>	<b>Project Estimate</b>	<b>Target Completion Date</b>
<b>SEWERAGE CAPITAL WORKS</b>			
<b>VILLAGE SEWERAGE SCHEMES</b>			
Uki Sewerage Scheme	Includes STP, Reticulation and Transport components	\$3,600,000	Jun-03
<b>FUTURE WORKS</b>			
Burringbah Sewerage Scheme		\$4,600,000	Jun-07
<b>SEWAGE TREATMENT PLANTS</b>			
Kingscliff STP Interim Works	Temporary upgrade until new plant constructed	\$900,000	Jun-03
Banora Point STP UV Upgrade	Replace existing UV with High Dose system	\$920,000	Jun-03
Banora Point STP Odour control	Upgrade to existing odour control works	\$100,000	Jun-03
Dry Dock Rd Tweed Heads South	Repair of Banora Point STP effluent outfall line	\$50,000	Jun-03
Hastings Pt STP Augmentation	Augmentation to 18000 EP	\$2,300,000	Dec-03
Hastings Pt STP Effluent Rising Main	Upgrade of Existing main to dune disposal system	\$300,000	Dec-03
Tweed Heads STP Odour Control	Upgrade to existing odour control works	\$200,000	Jun-03
Tweed Heads Grit Removal	Replace existing grit removal system	\$30,000	Jun-03
<b>FUTURE WORKS</b>			
Murwillmbah STP Tertiary Treatment Plant	TTE plant for Condong Mill Co-generation plant	\$3,600,000	Jun-04
Kingscliff STP New Works	25000 EP STAGE 1	\$13,000,000	Jun-06
Tweed Heads STP Upgrade	Enhanced Treatment (no upgrade to capacity)	\$2,800,000	Jun-07
Banora Point STP Augmentation	Enhanced Treatment to 62500 EP	\$6,000,000	Jun-07
<b>SEWER PUMPING STATIONS</b>			
<b>SPS ELECTRICAL UPGRADES</b>			
SPS 1023a North Arm Rd	Electrical and Telemetry		
SPS 2030 Carrama Drive	Electrical and Telemetry		
SPS 2046 Cobaki Broadwater Vill	Electrical and Telemetry		
SPS 3008 Eunga St	Electrical and Telemetry		
SPS 3011 Cox Drive	Electrical and Telemetry		
SPS 3015 Bosun Boulevard	Electrical and Telemetry		
SPS 4005 Kingscliff St Mech & Elec Upgrade	Electrical and Telemetry		
SPS 4011 Chinderah Industrial Estate	Electrical and Telemetry		
SPS 5001 Towners Ave	Electrical and Telemetry & VSD's		
SPS 5005 Creek St	VSD's		
SPS 5008 Rajungra Street	Electrical and Telemetry		
SPS 5010 Phillip St	Electrical and Telemetry		
	<b>Sub Total</b>	<b>\$400,000</b>	<b>Jul-03</b>
<b>SPS MECHANICAL UPGRADES</b>			
SPS 1023a North Arm Rd	Pumps and Associated equipment		
SPS 2018 Gollan Drive	Pumps and Associated equipment		
SPS 2030 Carramar Dr Mech & Elec Upgrade	Pumps and Associated equipment		
SPS 2046 Cobaki Broadwater Vill	Pumps and Associated equipment		
SPS 3008 Eunga St	Pumps and Associated equipment		
SPS 3011 Cox Drive	Pumps and Associated equipment		

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W&amp;S Capital Works Program 2002/03

# Reports from Director Engineering Services

<b>Water and Sewage Capital Works Program 2002/03</b>			
<b>Project</b>	<b>Description</b>	<b>Project Estimate</b>	<b>Target Completion Date</b>
SPS 3015 Bosun Boulevard	Pumps and Associated equipment		
SPS 3018 Enterprise Ave	Inlet Valve Replacement		
SPS 4005 Kingscliff St	Pumps and Associated equipment		
SPS 5001 Towners Ave	Pumps and Associated equipment		
SPS 5004 Tamarind Ave	Pumps and Associated equipment		
SPS 5010 Phillip St	Pumps and Associated equipment		
		\$500,000	Jul-03
<b>SPS CONSTRUCTION</b>			
SPS 1002 River Street upgrade		\$200,000	Dec-03
SPS 1013 Hall Dr upgrade		\$200,000	Dec-02
SPS 2005A Syphon P. S. upgrade		\$30,000	Dec-02
SPS 2037 Broadwater Esp Bunding		\$20,000	Dec-02
SPS 2003A Beryl St New		\$300,000	Jul-03
SPS 2018 Gollan Drive	Odour Control	\$100,000	Jul-03
<b>FUTURE WORKS</b>			
SPS 2017 Frances St		\$200,000	Dec-04
SPS 2018A Gollan Dr Replacement		\$600,000	Jul-05
SPS 2048A New Piggabeen Rd	contribution	\$200,000	Jul-06
SPS 3032 New Sullivans Regional	contribution	\$190,000	Jul-07
SPS 3037 New Terranora Regional	contribution	\$160,000	Jul-07
SPS 4023 New Kings Forest Regional	contribution	\$500,000	Jul-07
SPS 4025 COAST ROAD CASUARINA BEACH SUB REGIONAL		\$150,000	Jul-07
SPS 4030 New South Kingscliff Northern Regional	contribution	\$120,000	Jul-07
SPS 5008 New Rajungra St Regional		\$450,000	Jul-07
<b>SEWER RISING MAINS</b>			
SRM 1002 River Street Upgrade		\$90,000	Jul-03
SRM 1004 Hatigan St Replacement		\$50,000	Jul-03
SRM 1005 Buchanan St Redirection		\$80,000	Dec-02
SRM 1015 Pacific Hwy Modification		\$20,000	Dec-02
SRM 1023 North Arm Rd New		\$150,000	Jul-03
SRM 2005 Meridian Way Replacement		\$70,000	Jul-03
SRM 3008 Eunga St Replacement		\$150,000	Dec-02
SRM 2030 Carramar Dr Relocation		\$40,000	Jul-03
SRM 2038 Peninsula Dr Replacement		\$400,000	
SRM 3001 Pacific Highway Relocation		\$300,000	Jul-03
SRM 3004 Martinelli Ave Replacement		\$50,000	Jul-03
SRM 3006 Darlington Dr Upgrade		\$65,000	Jul-03
SRM 3011 Cox Drive East of Tweed Heads Bypass Replacement		\$180,000	Dec-02
SRM 3020 Darlington Dr Ext to Amaroo		\$135,000	Jul-03
SRM 3030 Leisure Drive West Ext to SPS 3028 Enterprise Ave		\$200,000	Jul-03
SRM 4015 fingal Rd South Relocation		\$10,000	Jul-03
SRM 5008 Rajunga Street Replacement Shop to Bridge		\$70,000	Dec-02
SRM 5012 SRM Mountbatten Relocation & Upgrade		\$85,000	Dec-02
<b>FUTURE WORKS</b>			
SRM 5014 Overall Dr New		\$315,000	Dec-03
SRM 2018A Gollan Dr		\$2,283,000	Jul-04
SRM 3015 Bosun Boulevard Relocation	Relocation of Section 340m of 150mm Easement & property acquisition is required	\$150,000	Jul-04
SRM 3027 Shallow Bay Drive Extension to SPS 3028 Enterprise Ave		\$250,000	Dec-04
SRM 4002 Avoca St Ext to Rutile St		\$100,000	Dec-03
SRM 5008 Rajunga - Creek St New	250 mm dia. 2.6 km long	\$500,000	Jul-05

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W&amp;S Capital Works Program 2002 2003

# Reports from Director Engineering Services

<b>Water and Sewage Capital Works Program 2002/03</b>			
<b>Project</b>	<b>Description</b>	<b>Project Estimate</b>	<b>Target Completion Date</b>
SRM 5009 Coaster Caravan Park		\$40,000	Dec-03
<b>GRAVITY SEWERS</b>			
Trunk to SPS 2033 Boyd St	Gravity Sewer Upgrade	\$80,000	Jul-03
Trunk to SPS 3001 P'Hwy	Gravity Sewer Upgrade	\$60,000	Jul-03
Trunk to SPS 3006 Darlington Dr	Gravity Sewer Upgrade	\$135,000	Jul-03
Trunk to SPS 3009 Sunshine Av	Gravity Sewer Upgrade	\$0	Jul-03
Trunk to SPS 3020 Ammaroo	Gravity Sewer Upgrade	\$65,000	Jul-03
Trunk to SPS 2003 Beryl St	Gravity Sewer Upgrade	\$65,000	Jul-03
Trunk to 2020 Jacaranda Av	Gravity Sewer Upgrade	\$0	Jul-03
O'Connor Drive Retic Extention		\$20,000	Dec-03
<b>FUTURE WORKS</b>			
Reline Retic Andrew Avenue		\$100,000	Jul-04
Reline Retic Balmoral Avenue		\$100,000	Jul-04
Gravity sewer Relining Annual Program		\$500,000	Jul-04

## Reports from Director Engineering Services

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**9. ORIGIN:** Design Unit

**FILE REF:** Sewerage Treatment - Burringbar

**REPORT TITLE:**

**Burringbar / Mooball Sewerage Scheme - Draft Revised Options Report**

**SUMMARY OF REPORT:**

The Draft Revised Options Report was finalised by the Department of Public Works & Services in July 2002. The report was accepted by the Community Reference Group at the meeting held on 15 August 2002. The Committee also resolved to proceed to community consultation stage of the project subject to endorsement by Council and subject to several amendments to the Draft Report.

**RECOMMENDATION:**

That Council:-

1. Adopts the Draft Revised Options Report for the Burringbar Sewerage Scheme.
2. Proceeds with community consultation.
3. Communicates the Council decision through the Tweed Link.
4. Adopts in principle a charging policy that results in full community cost recovery for any additional lots created within the serviced area.

## Reports from Director Engineering Services

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### REPORT:

#### BACKGROUND

Concerns have been raised that the present wastewater management system in Burringbar may present health threats to the residents and contribute to the pollution of adjacent waterways. The concerns were confirmed by a water quality survey conducted by Council's Environment & Health Unit in 1996. A community consultation process to address such concerns commenced in April 1996. Council officers attended a meeting of the Burringbar and District Progress Association. At its meeting on 7 August 1996 Council resolved that the residents of Burringbar be surveyed regarding the installation of a reticulation sewerage system. The results of the first survey are summarised below:-

- 57% of land owners in Burringbar have returned the survey form to Council
- 81% of those land owners have supported sewerage of the village
- 63% of those land owners have accepted a levy of between \$2,500 and \$5,000 per household to partially fund the scheme in addition to the annual rate.

In April 1997 Council received a \$150,000 grant for financial assistance at the interim rate of 50% of the costs associated with investigation works including:-

- preliminary investigation report
- effluent re-use study
- geotechnical investigation
- environmental study
- Community consultation

In July 1998 Council invited nominations through the Tweed Link from the Burringbar community to be part of the Burringbar Sewerage Community Reference Group. In September 1998 Council accepted the nominated Community Reference Group comprising T Taber, S Cahill, B Douglas, Crs Polglase and Beck.

In October 1998 the first Community Reference Group meeting was held. The meeting resolved that more information is required in terms of the existing disposal systems, their level of performance and the impacts. The group resolved to proceed with a survey of each property in Burringbar and Mooball including rural residences of Hunter Street and Greenvale Court.

In November 1998 a letter and survey form were sent to residents.

In December 1998 a second Reference Group Meeting was held. This meeting informed the group of the survey results. An overview of the performance of the existing systems in Hunter Street and Greenvale Court rural residential subdivisions was provided. Based on the survey findings it is considered that performance of the existing systems is generally satisfactory and an adequate area is available on site to modify and improve the efficiency of existing disposal fields. The new regulations to on site treatment and disposal system monitoring were explained to the group.

The group was also informed that the results of the survey of the performance of the existing systems in the Burringbar and Mooball villages was found to be unsatisfactory and that the options for the improvement of the existing situation would be examined in the Study Report.

## Reports from Director Engineering Services

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A third survey to canvas support for the inclusion of rural residential areas in the proposed sewerage system was conducted in August 1999. The results of the survey are summarised below:-

- 37% of those returned the survey form to Council have supported sewerage rural residential areas.
- None of those who have returned the survey form to Council have accepted a levy of \$10,000 - \$15,000 per household to partially fund the scheme in addition to the annual rate.

In February 2001 a Draft Options Report was completed. This report investigated disposal options currently available and at the same time examines the possibility of a reticulated sewerage system in Burringbar, Mooball and the rural residential areas of Hunter Street and Greenvale Court.

In March 2002 a third Reference Group meeting was held. At this meeting a brief history of the project and details of successful negotiation for purchase of a preferred sewage treatment plant site were provided. A detailed summary of the Options Report including the proposed scheme boundary, population loading, options for treatment and costings were also provided. The Reference Group discussed the Options Report at length and resolved that the draft report should be amended to remove all reference to owner names of potential treatment work sites and review and update cost estimates mentioned in the report in the light of the Uki tender.

The Reference Group also resolved to meet to review amendments to the Options Report and Program with a view to reporting to Council with a recommendation that consultation be undertaken with the local community.

In July 2002 a Revised Draft Options Report was completed.

In August 2002 the fourth meeting of the Reference Group was held. At this meeting an overview of the amendments made in accordance with the resolution of the March meeting was presented. General discussions took place on the new report. The Reference Group resolved to proceed to community consultation subject to endorsement by Council and some amendment.

A representative from the Department of Land & Water Conservation provided an overview of the history of the Small Towns Scheme and why Mooball was not included in current subsidy approvals. Mooball will be eligible for a 50% subsidy compared to a Burringbar subsidy level of up to 75%. The Reference Group resolved that the matter of Mooball being included in the Small Towns Scheme be pursued after adoption of a preferred scheme.

### **PROPOSED COMMUNITY CONSULTATION**

The proposed community consultation program is a key element of the project.

It is proposed to display the Revised Draft Options Report in the village for a period of three weeks. The community will be asked to provide comment and feedback on:-

- The preferred sewage collection option
- Treatment standards
- Wastewater re-use / disposal methods
- Environmental concerns
- Servicing rural residential areas

## Reports from Director Engineering Services

The proposed avenues to provide feedback are as follows:-

- A “free call” telephone line
- Information forums
- Weekend attended display day
- Free post written submissions
- Publications in the Tweed Link

The Department of Land & Water Conservation have approved the Revised Options Report.

### PROJECT PROGRAM

The proposed program is as detailed below:-

<b>Task</b>	<b>Timing</b>
Draft Revised Options Report, Display & Community Consultation	End October 2002
Finalise Options Report	January 2003
Environmental Study	July 2003
Draft Environmental Study Review	August 2003
Determine Environmental Study	November 2003
Design & Documentation of Burringbar Sewerage Scheme	September 2004
Review of Design and Documentation	November 2004
Tendering	March 2005
Tender Review	June 2005
Construction	March 2006
Commissioning	May 2006

Project Program is subject to funds availability.

### ADDITIONAL LOT CREATION

Sewering of the village may facilitate additional lot creation. It is proposed to recommend that the full community cost of the scheme be recouped as a S64 charge on any additional lots created within the serviced area. As a minimum the shire-wide S64 charge for sewerage would apply but depending on the level of subsidy it is likely that it would be well in excess of current charges applied in Uki.



# Reports from Director Engineering Services

Following is a summary of the Revised Options Report:-

*Executive Summary*

## EXECUTIVE SUMMARY

This report has been prepared by the Department of Public Works and Services for Tweed Shire Council and the Department of Land and Water Conservation. The report outlines the development of options for the provision of a sewerage scheme to the villages of Burringbar and Mooball.

Burringbar and Mooball are situated in the Local Government Area of Tweed Shire Council. The permanent population of Burringbar and Mooball is estimated to be 695 and 106 persons, respectively. These villages are mainly residential and rural residential with some commercial and non-residential development.

The villages do not currently have a sewage collection/transport system, with the majority of residences within the proposed sewer catchment area served by septic tanks with on-site effluent disposal via trench absorption systems. Although the performance of the on-site disposal systems has not been ascertained at this stage, septic tank effluent overflows to the stormwater drainage system do occur.

The principal objectives of this report are to:

- present projections for population and tenement numbers and associated sewage loading;
- develop on-site treatment and effluent management options;
- develop off-site treatment and effluent management options;
- develop reticulation layouts to minimise costs;
- prepare cost estimates and perform economic analyses for the options considered;
- identify further required studies.

The projected hydraulic and biological loadings are summarised in **Tables 1** and **2**. These are based on two possible development scenarios, that is:

- Village Scheme including Burringbar (catchment area 1) and Mooball (catchment area 2),
- Village Scheme with the inclusion of the rural residential areas of Burringbar (catchment areas 3a and 3b).

**Table 1: Projected Hydraulic and Biological Loading - Village Scheme**

Year	EP	ADWF L/s	BOD kg/d	SS kg/d	TN kg/d	TP kg/d
1996	527	1.46	31.6	36.9	6.3	1.37
2001	541	1.50	32.5	37.9	6.5	1.41
2006	553	1.54	33.2	38.7	6.6	1.44
2011	571	1.59	34.3	40.0	6.9	1.48
2016	589	1.64	35.3	41.2	7.1	1.53
2021	602	1.67	36.1	42.1	7.2	1.57
2026	620	1.72	37.2	43.4	7.4	1.61

This report comprises a revision of the originally issued report (WS00056 – February 2001) and includes an additional feasible treatment plant site (Part of Lots 8 and 10 on the Mooball/Pottsville Road) which may be available to Council. Its inclusion has been requested by the Community Reference Group. In due course, Council and the Community may identify further site/s for consideration.

# Reports from Director Engineering Services

Executive Summary

**Table 2: Projected Hydraulic and Biological Loading – Village plus Rural Residential Scheme**

Year	EP	ADWF L/s	BOD kg/d	SS kg/d	TN kg/d	TP kg/d
1996	752	2.09	45.12	52.64	9.02	1.96
2001	771	2.14	46.26	53.97	9.25	2.00
2006	788	2.19	47.28	55.16	9.46	2.05
2011	811	2.25	48.66	56.77	9.73	2.11
2016	839	2.33	50.34	58.73	10.07	2.18
2021	857	2.38	51.42	59.99	10.28	2.23
2026	880	2.44	52.80	61.60	10.56	2.29

### On-Site Wastewater Management

Capital cost estimates for upgrade of existing on-site systems to reduce environmental impacts have been included for comparison (Table 3). Costs allow for provision of new tanks and absorption trenches where required, and assume that 50% of septic tanks are not operating correctly due to age and should be replaced. Only systems that are likely to be approved for use within the confines of an urban development area have been assessed. Therefore, capital costs have been estimated for:

- Upgrade of Septic Tank System and absorption trenches;
- Amended Soil Systems/Sand Filters with upgraded absorption trenches.

**Table 3: Upgrade On-Site Systems - Capital Costs**

Scheme Area	Village Scheme	Rural Residential	Total
Water Saving Measures	\$ 65,000	\$ 26,000	\$ 91,000
Retaining Septic Tanks	\$ 553,000	\$ 224,000	\$ 777,000
Install Amended Soil Systems	\$ 3,110,000	\$ 1,264,000	\$ 4,374,000
Install Sand Filters	\$ 2,557,000	\$ 1,039,000	\$ 3,596,000

### Reticulation Options

Reticulation options have been considered separately to treatment and effluent management options. Any combination of these will be effective in providing Burringbar/Mooball with a working sewerage reticulation, transport and treatment system.

The following lower cost reticulation options have been considered:

- Modified Gravity Sewerage System (MGS)
- Low Pressure Sewerage System (LPS)
- Hybrid MGS and LPS System (MGS/LPS)

Table 4 summarises the sewage collection and transport capital cost estimates. The Conventional Gravity Sewerage (CGS) system has also been assessed and is included for comparison with the other options.

# Reports from Director Engineering Services

Executive Summary

A review of capital costs shows that the hybrid scheme comprising Modified Gravity and Low Pressure Sewerage Systems is the least expensive reticulation option (85% of CGS capital cost). This difference in capital cost between CGS and MGS/LPS is approximately \$450,000, which is due primarily to savings realised through the use of smaller pipes and lower peak wet weather flow.

**Table 4: Summary of Sewage Collection and Transport Capital Cost Estimates**

Sewage System	Collection	CGS	MGS	LPS	MGS & LPS
<b>Village Scheme</b>					
Reticulation		\$989,000	\$932,000	\$1,824,000	\$1,150,000
Transport <sup>(2)</sup>		\$1,172,000	\$1,044,000	\$503,000	\$694,000
SID, Mgt, Contingencies <sup>(1)</sup>		\$950,000	\$870,000	\$1,023,000	\$812,000
<b>Total Capital Cost<sup>(3)</sup></b>		<b>\$3,111,000</b>	<b>\$2,846,000</b>	<b>\$3,350,000</b>	<b>\$2,656,000</b>
Nett Present Value (7%) <sup>(5)</sup>		\$3,230,000	\$2,950,000	\$3,580,000	\$2,750,000 <sup>(4)</sup>
<b>Rural Residential Areas</b>					
Reticulation <sup>(1)</sup>		\$432,000	\$414,000	\$741,000	\$414,000
Transport <sup>(1)(2)</sup>		\$252,000	\$232,000	\$40,000	\$222,000
SID, Mgt, Contingencies <sup>(1)</sup>		\$302,000	\$284,000	\$343,000	\$280,000
<b>Total Capital Cost<sup>(3)</sup></b>		<b>\$986,000</b>	<b>\$930,000</b>	<b>\$1,124,000</b>	<b>\$916,000</b>
Nett Present Value (7%) <sup>(5)</sup>		\$960,000	\$970,000	\$1,290,000	\$960,000
Annual Cost per ET		\$130	\$120	\$100	\$80

1. 40% factor for on-costs.

2. Based on STP location at Part of Lots 8 and 10 on Mooball/Pottsville Road see below.

3. Does not include additional systems due to growth beyond 2002.

4. Based on 70% of project ETs in Burringbar being serviced by LPS system.

5. Nett Present Value (or Life Cycle Cost) is an assessment of the present value of the capital and annual costs of an option for the design life of the project at a given rate of return.

## STP Site Selection

A qualitative comparison of five potential STP sites is given in **Table 5**. These site rankings are recommendations only and are subject to joint inspection and agreement by Council, EPA and DLWC.

**Table 5: STP Site Ranking**

Rank	Site	Primary Considerations
1. "Part of Lots 8 and 10 DP 820055" Mooball/Pottsville Road	Site 5	Good buffer distance. On-site reuse not feasible but opportunistic reuse by neighbouring properties possible. Direct discharge to Burringbar Creek downstream of both villages. Site is subject to flooding. Site available.
2. Lot 1 DP123239 Upper Burringbar Road,	Site 4	Significant potential for beneficial reuse, good buffer distance and screening, although discharge upstream of

# Reports from Director Engineering Services

*Executive Summary*

Burringbar		villages. Site not available.
3. Lot 6 DP593200 Pacific Highway, Mooball	Site 1	Discharge downstream of both villages, although little potential for beneficial reuse without clearing native trees and site is subject to flooding. Site not available.
4. Lot 2 DP602610 Pacific Highway, Burringbar/Mooball	Site 2	Good proximity to both villages, although site is subject to flooding and no potential for on-site reuse. Site not available.
5. Lots 3 and 4 DP865491 Howards Road, Burringbar	Site 3	Some beneficial reuse would be possible, although the site is much higher than the catchment area and pumping cost would be significant. Nominal buffer distances.

Based on the above ranking, siting of the sewage treatment plant at part of Lot 8 and 10 DP820055 (Site 5) has been proposed in this report. All cost estimates have been based on this proposal.

### **Sewage Treatment and Effluent Management Options**

Two sewage treatment and effluent management options have been examined:

- Treatment by activated sludge package plant with Effluent Discharge to Burringbar Creek. (Sites 1,2 and 5). Opportunistic reuse by adjacent landowners may be possible at these sites.
- Treatment by activated sludge package plant with Effluent Reuse on Woodlots on land surrounding the treatment plant (Sites 3 and 4). For effluent reuse to be a plausible option it has been assumed that tree lots will be planted to maximise reuse potential and excess effluent will be discharge to Burringbar Creek.

### **Comparison of Scheme Options**

Capital and annual costs have been developed for the following scheme options:

- A. MGS, Package STP, Creek Discharge
- B. MGS, Package STP, Effluent Reuse (Woodlots)
- C. LPS, Package STP, Creek Discharge
- D. LPS, Package STP, Effluent Reuse (Woodlots)
- E. MGS & LPS, Package STP, Creek Discharge
- F. MGS & LPS, Package STP, Effluent Reuse (Woodlots)

These are summarised in **Table 6** for both the Village Scheme and Rural Residential Areas.

### **Comments**

The lowest total Nett Present Value cost option is the Hybrid Modified Gravity and Low Pressure Sewerage System combined with an activated sludge package treatment plant and effluent discharge, with a Capital Cost of \$4.493M (Option E) for the Village Scheme. This corresponds to \$22,000 per lot.

Effluent reuse options at Sites 3 and 4 may provide additional benefits to the local and regional economy by ensuring the availability of effluent for irrigation under prolonged drought conditions. Reuse of sewage effluent from Burringbar/Mooball would be compatible with the NSW Government's policy of integrating the urban water cycle. Effluent would substitute for water that is currently sourced from natural waterways, relieving stress on Burringbar Creek (particularly during low flows) and contribute toward achieving environmental flow objectives for the Burringbar Creek system.

## Reports from Director Engineering Services

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*Executive Summary*

However, return of treated effluent to the creek (Sites 1, 2 and 5) also assists in maintaining environmental flows, which are generally depleted due to extraction. These options include the cost of tertiary filtration due to the sensitivity of the receiving water. Maintenance of environmental flows is an issue of increasing concern to regulatory authorities and can be considered to constitute effective reuse of effluent treated to a standard compatible with minimising impact on receiving waters.

# Reports from Director Engineering Services

Executive Summary

**Table 6: Capital and Annual Cost Summary – Village Sewerage Scheme**

Description	Construction Cost					Contingency SID and Mgt	Total Scheme Cost	Average Annual Cost (t)	Nett Present Value (7%)
	Retic	Transport	Treatment	Eff Mgt	Total				
A. MGS, Package STP, Creek Discharge	\$932,000	\$1,044,000	\$1,067,000	\$209,000	\$3,252,000	\$1,430,000	\$4,682,000	\$68,000	\$5,130,000
B. MGS, Package STP, Effluent Reuse (Woodlots)	\$932,000	\$1,044,000	\$1,067,000	\$238,000	\$3,281,000	\$1,443,000	\$4,724,000	\$65,000	\$5,170,000
C. LPS, Package STP, Creek Discharge	\$1,824,000	\$503,000	\$1,067,000	\$209,000	\$3,603,000	\$1,586,000	\$5,189,000	\$61,000	\$5,730,000
D. LPS, Package STP, Effluent Reuse (Woodlots)	\$1,824,000	\$503,000	\$1,067,000	\$238,000	\$3,632,000	\$1,598,000	\$5,230,000	\$57,000	\$5,710,000
E. MGS & LPS, Package STP, Creek Discharge	\$1,150,000	\$694,000	\$1,067,000	\$209,000	\$3,120,000	\$1,373,000	\$4,493,000	\$58,000	\$4,490,000
F. MGS & LPS, Package STP, Effluent Reuse (Woodlots)	\$1,150,000	\$694,000	\$1,067,000	\$238,000	\$3,149,000	\$1,385,000	\$4,534,000	\$54,000	\$4,970,000

1. Year 2014

**Capital and Annual Cost Summary for On-site Treatment – Village Scheme**

Description	Construction Cost				Contingency SID and Mgt	Total On- site Upgrade Cost	Average Annual Cost	Nett Present Value (7%)
	Septic Tanks	Absorption Trenches	Amended Soil System	Sand Filter				
A. Upgrade Existing Septic Tanks	\$240,000	\$144,000	-	-	\$149,000	\$533,000	\$69,000	\$1,245,000
B. Amended Soil System (Ecomax)	\$240,000	-	\$1,920,000	-	\$950,000	\$3,110,000	\$90,000	\$4,197,000
C. Sand Filter	\$240,000	-	-	\$1,536,000	\$781,000	\$2,557,000	\$101,000	\$3,692,000

Burringbar-Mooball Sewerage Scheme

10/09/2002  
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# Reports from Director Engineering Services

Executive Summary

## Additional Capital and Annual Cost for Rural Residential Areas

Description	Construction Cost				Contingency SID and Mgt	Total Scheme Cost	Average Annual Cost	Nett Present Value (7%)
	Retic	Transpor t	Treatmen t	Eff Mgt				
A. MGS, Package STP, Creek Discharge	\$414,000	\$232,000	-	-	\$284,000	\$930,000	\$17,000	\$1,060,000
B. MGS, Package STP, Effluent Reuse	\$414,000	\$232,000	-	-	\$284,000	\$930,000	\$13,000	\$1,020,000
C. LPS, Package STP, Creek Discharge	\$741,000	\$40,000	-	-	\$343,000	\$1,124,000	\$16,000	\$1,340,000
D. LPS, Package STP, Effluent Reuse	\$741,000	\$40,000	-	-	\$343,000	\$1,124,000	\$12,000	\$1,320,000
E. Combined MGS & LPS, Package STP, Creek Discharge	\$414,000	\$222,000	-	-	\$280,000	\$916,000	\$17,000	\$1,060,000
F. Combined MGS & LPS, Package STP, Effluent Reuse	\$414,000	\$222,000	-	-	\$280,000	\$916,000	\$13,000	\$1,010,000

## Capital and Annual Cost Summary for On-site Treatment – Rural Residential Areas

Description	Upgrade Cost			Contingency SID and Mgt	Total On-site Upgrade Cost	Average Annual Cost	Nett Present Value (7%)
	Septic Tanks	Absorption Trenches	Sand Filter Soil System				
A. Upgrade Existing Septic Tanks	\$98,000	\$59,000	-	\$67,000	\$224,000	\$29,000	\$610,000
B. Amended Soil System (Ecomax)	\$98,000	-	\$780,000	\$385,000	\$1,264,000	\$38,000	\$1,750,000
C. Sand Filter	\$98,000	-	\$624,000	\$317,000	\$1,039,000	\$38,000	\$1,440,000

Burringbar-Mooball Sewerage Scheme

10/09/2002

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## Reports from Director Engineering Services

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## Reports from Director Engineering Services

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**10. ORIGIN:** Design Unit

**FILE REF:** DA4420/276 Pt10

**REPORT TITLE:**

**Classification of Land as Operational - Metricon Qld Pty Ltd - Seabreeze Estate, Pottsville**

**SUMMARY OF REPORT:**

Metricon Qld Pty Ltd, the developers of a subdivision known as the Seabreeze Estate at Pottsville, propose to transfer Lot 137 to Council which contains a Sewage pumping station, as a Pumping Station and Lot 138 as a Drainage Reserve.

The proposed Lots 137 and 138 should be classified as Operational under the provisions of Section 31 of the Local Government Act, 1993.

**RECOMMENDATION:**

That the land proposed to be transferred to Council as a Pumping Station, described as Lot 137 and Lot 138 in the subdivision of Lots 1 in DP 1044671 (formerly referred to as Lot 4 in DP 803030) be classified as Operational under Section 31 of the Local Government Act, 1993.

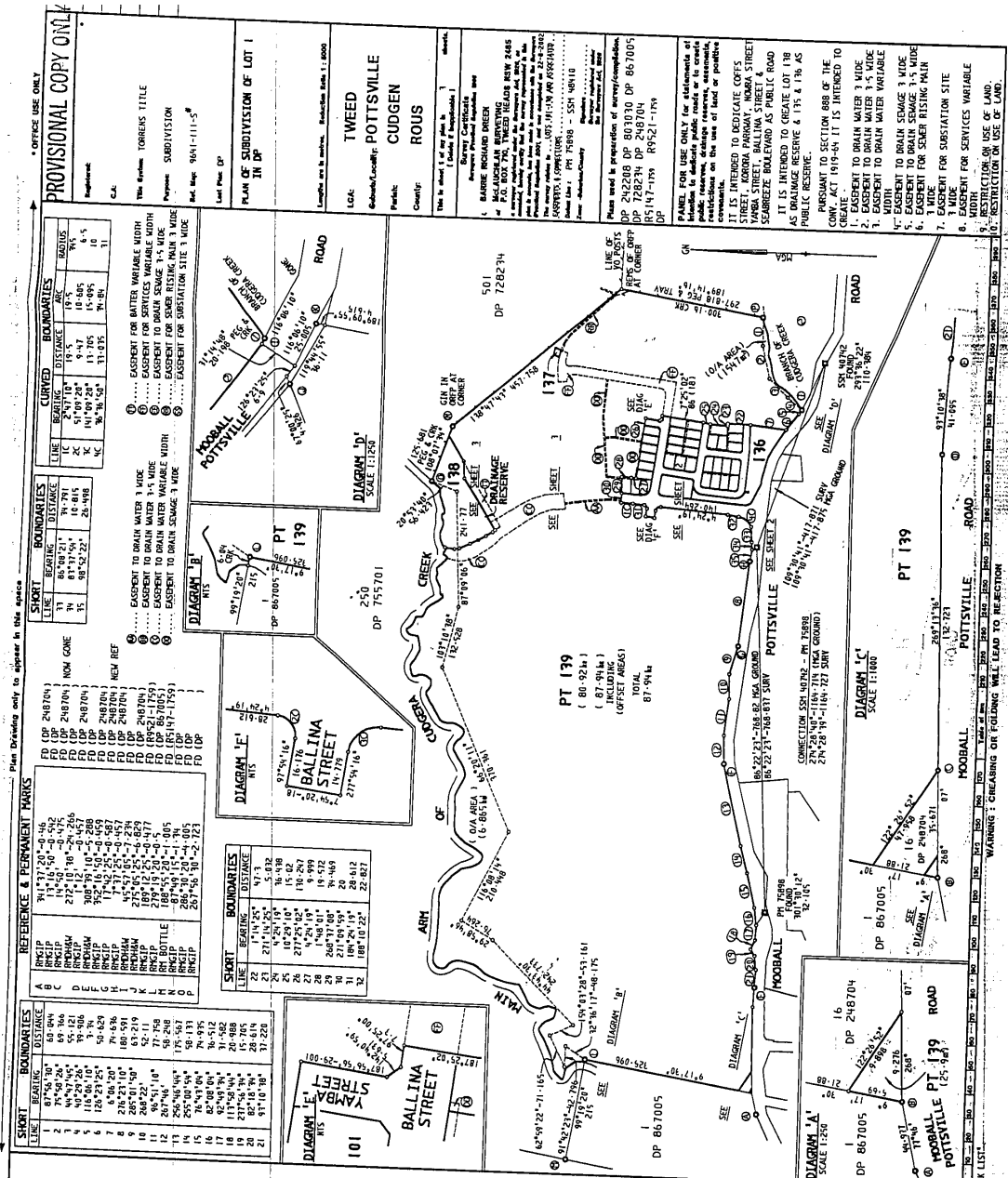
# Reports from Director Engineering Services

## REPORT:

Metricon Qld Pty Ltd, the developers of a subdivision known as the Seabreeze Estate at Pottsville, propose to transfer Lot 137 to Council which contains a Sewage pumping station, as a Pumping Station and Lot 138 as a Drainage Reserve.

The proposed Lots 137 and 138 should be classified as Operational under the provisions of Section 31 of the Local Government Act, 1993.

A copy of the relevant page of the proposed plan follows:-



## Reports from Director Engineering Services

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**11. ORIGIN:** Works Unit

**FILE REF:** R3660

**REPORT TITLE:**

**Myrtle Street, Murwillumbah - Proposed Upgrading**

**SUMMARY OF REPORT:**

Residents of Myrtle Street have expressed concerns regarding the increase in through traffic and safety. Two on-site meetings have been held followed by a letter box 'drop' to gauge resident opinions on constructing two back to back cul-de-sacs to form a mid block closure to through traffic. From the responses received it is considered to be the favoured response to the above problem in conjunction with other upgrading works.

**RECOMMENDATION:**

That:-

1. Myrtle Street be designed to include back to back cul-de-sacs to regulate traffic as permitted by Section 115 of the Roads Act, 1993.
2. The funding of \$90,000 in the current financial year be used to construct the cul-de-sac and the western entrance to Myrtle Street.
3. Funding to complete the required upgrading works in Myrtle Street be considered in the 2003 – 2004 Works Program.

## Reports from Director Engineering Services

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### REPORT:

Council has received information from residents of Myrtle Street that traffic volumes had increased since the closure of Florin Lane and that with the inappropriate speed of some of the through traffic safety of residents entering and exiting driveways and pedestrians was being diminished.

Two on-site public meetings have been held with concerned residents to discuss options that could be incorporated in road upgrading plans that would reduce or alleviate the existing problems.

At the second meeting there was general consensus that the preferred option would be a mid block closure consisting of two back to back cul-de-sacs in the vicinity of the Council owned property. (See plan at the end of this report.)

In July a letter was delivered to all residents of Myrtle Street and adjoining laneways where properties front Myrtle Street setting out the proposal and requesting written responses stating any concerns about the proposed design. (See copy at the end of this report.)

At the closure of the comment period, Council had received four written responses from 38 letters delivered to residents.

The key aspects of the responses are as follows:-

#### Letter 1

Concern: Access to Myrtle Street from Byangum Road at western end needs to be improved to allow all vehicles to make a left turn into Myrtle Street.

Response: Turn will be improved to enable large passenger vehicles to make the turn but not possible for removalist trucks etc. Such vehicles are relatively rare and can access via a right turn in any case.

Concern: Cul-de-sacs should allow all vehicles to turn in one movement

Response: Not feasible to design cul-de-sacs for removalist vehicles even new subdivisions do not meet this request. They are vehicles of infrequent use and can make turning movements via 3 point turns.

#### Letter 2

Concern: Full agreement with proposals but has noise been considered.

Response: Noise is expected to be reduced as once drivers know they can no longer use Myrtle Street as a through road it will only be used by residents that need to turn to access driveways.

Concern: Could more street lighting be provided.

Response: Request included in Street Lighting Program.

#### Letter 3

Concern: Do not think that cul-de-sacs only address safety problems in Myrtle Street and the road between 48 and 64 needs upgrading as well.

Response: Design will include full upgrade to a suitable standard for a cul-de-sac road.

Concern: Left turn at western end into Myrtle Street needs upgrading.

Response: See response to Letter 1.

## Reports from Director Engineering Services

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### Letter 4

Concern: Full support but drainage issue at no. 35 should be addressed.

Response: Drainage to be investigated.

As can be seen the proposal for back to back cul-de-sacs is generally supported and it is assumed those that did not respond are not overly concerned with the proposal.

Funding to commence upgrading works in Myrtle Street is in the 2002 – 2003 Works Program with the balance of work to be considered in the 2003- 2004 Program. It is proposed to redesign the upgrading to include the back to back cul-de-sacs and address the concerns of residents expressed above.

# Reports from Director Engineering Services



Please Quote  
Council Ref: R3660

[eltr]

Your Ref No:

For Enquiries  
Please Contact: Mr Paul Morgan

Telephone Direct (02) 6670 2473

108f01.doc

17 July 2002

Dear Resident

### Myrtle Street Upgrading

Council has received some complaints from residents of Myrtle Street regarding an increase in through traffic using Myrtle Street.

Council has considered various options to alleviate this problem and after a meeting with some residents on site Council has decided to pursue the option of closing Myrtle Street in the vicinity of Council's reserve. This work will involve the construction of two cul-de-sac turning areas sufficient to enable a car to undertake a U-turn which will be necessary to access some driveways. Garbage service vehicles will be able to proceed from one cul-de-sac to the other via a locked gate (see sketch plan attached).

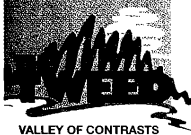
Following receipt of any submissions a report will be presented to Council on all options. The option chosen by Council will then need to be advertised for general public comment prior to adoption.

It is requested that any submissions or comments be made in writing and addressed to the General Manager, Tweed Shire Council, PO Box 816, Murwillumbah NSW 2484 and should be received no later than Wednesday 31 July 2002.

Yours faithfully

**Bob Missingham**  
**Acting Director**  
**ENGINEERING SERVICES**

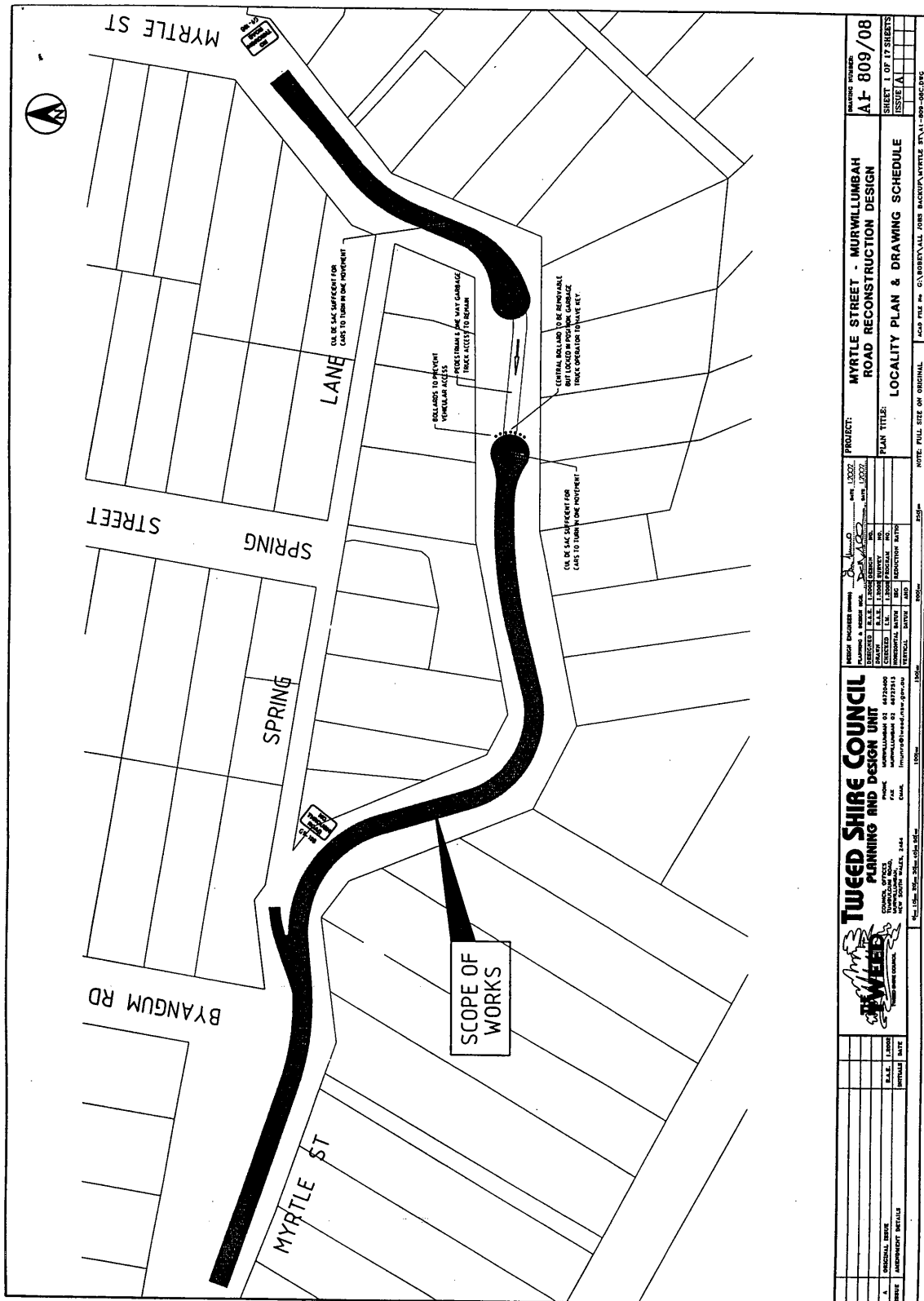
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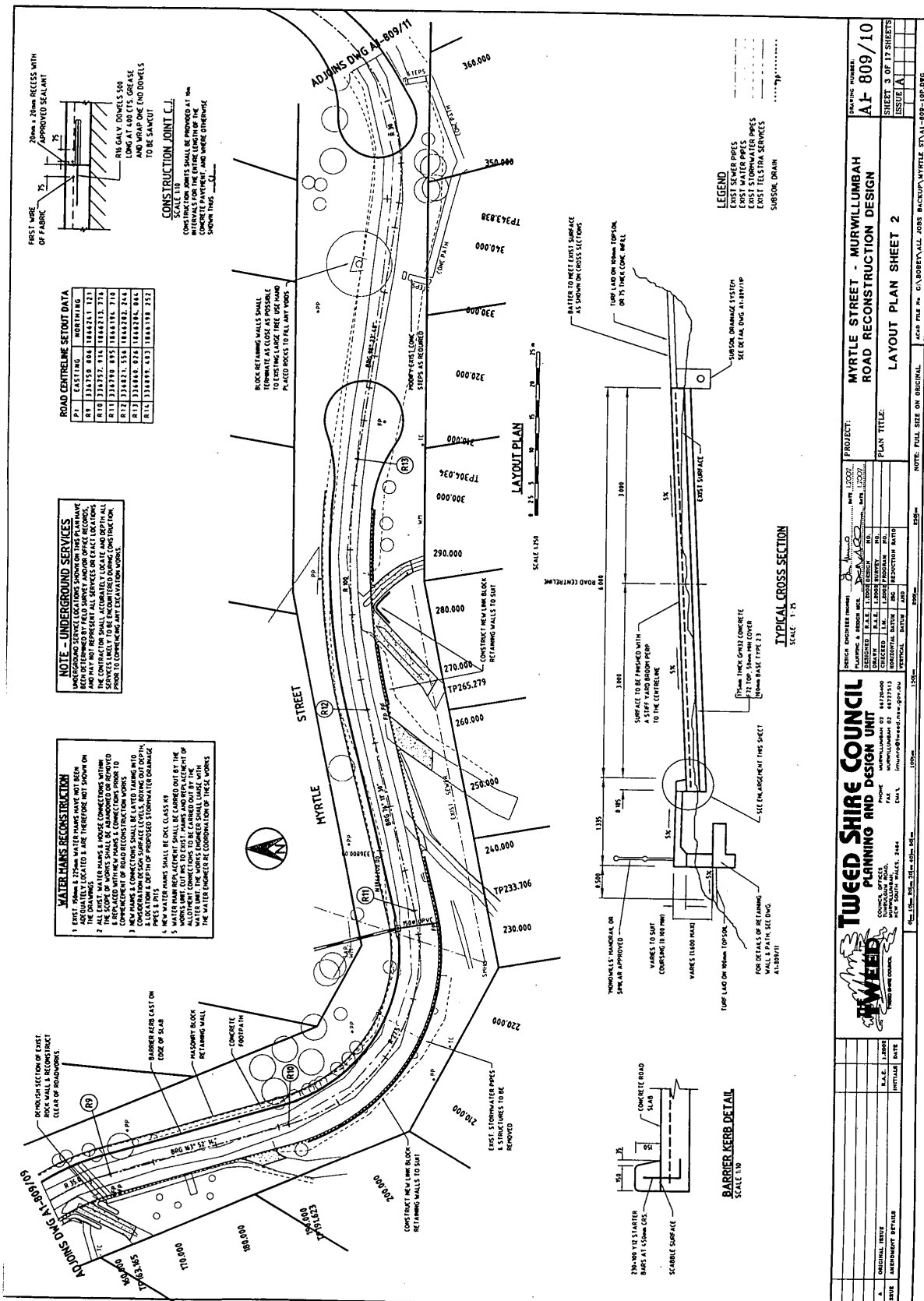
CIVIC AND CULTURAL CENTRE, MURWILLUMBAH  
P.O. BOX 816, MURWILLUMBAH, N.S.W. 2484  
TELEPHONE: (02) 6670 2400 FAX: (02) 6670 2429

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# Reports from Director Engineering Services



# Reports from Director Engineering Services





## Reports from Director Engineering Services

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**12. ORIGIN:** Works Unit

**FILE REF:** R3660

**REPORT TITLE:**

**Myrtle Street, Murwillumbah - Proposed Upgrading**

**SUMMARY OF REPORT:**

Residents of Myrtle Street have expressed concerns regarding the increase in through traffic and safety. Two on-site meetings have been held followed by a letter box 'drop' to gauge resident opinions on constructing two back to back cul-de-sacs to form a mid block closure to through traffic. From the responses received it is considered to be the favoured response to the above problem in conjunction with other upgrading works.

**RECOMMENDATION:**

That:-

1. Myrtle Street be designed to include back to back cul-de-sacs to regulate traffic as permitted by Section 115 of the Roads Act, 1993.
2. The funding of \$90,000 in the current financial year be used to construct the cul-de-sac and the western entrance to Myrtle Street.
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## Reports from Director Engineering Services

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At the second meeting there was general consensus that the preferred option would be a mid block closure consisting of two back to back cul-de-sacs in the vicinity of the Council owned property. (See plan at the end of this report.)

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## Reports from Director Engineering Services

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### Letter 4

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As can be seen the proposal for back to back cul-de-sacs is generally supported and it is assumed those that did not respond are not overly concerned with the proposal.

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# Reports from Director Engineering Services



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Following receipt of any submissions a report will be presented to Council on all options. The option chosen by Council will then need to be advertised for general public comment prior to adoption.

It is requested that any submissions or comments be made in writing and addressed to the General Manager, Tweed Shire Council, PO Box 816, Murwillumbah NSW 2484 and should be received no later than Wednesday 31 July 2002.

Yours faithfully

**Bob Missingham**  
**Acting Director**  
**ENGINEERING SERVICES**

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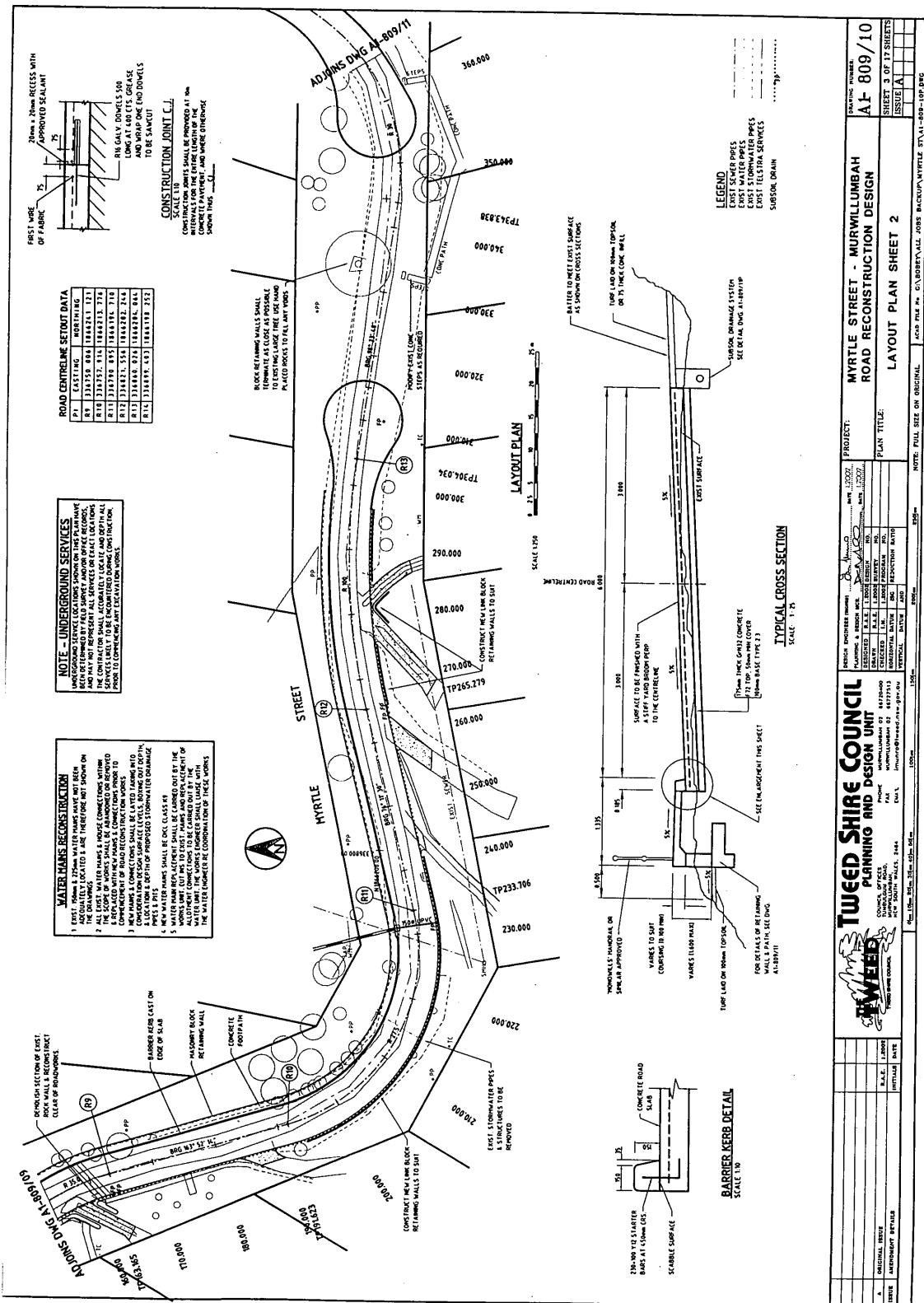


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# Reports from Director Engineering Services



# Reports from Director Environment & Community Services

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

**FILE REF:** Drugs Related Matters, Public Toilets, Parks-Knox Park, Jack Bayliss

**REPORT TITLE:**

**Needle Disposal Bins - Progress Report on Contract Period: November 2000 - July 2002 (Contract Ends November 2002)**

**SUMMARY OF REPORT:**

On 15 November 2000, needle disposal bins were installed in 18 identified "hot spots" within the Shire, in accordance with the resolution of Council. In addition, the installation of "blue lights" in one third of the "hot spot" public toilets was trialled. The blue lights were subsequently removed after the trial period and replaced with normal fluorescent lights due to public safety concerns. The needle disposal bins were found to be effective at reducing the number of needles disposed of unsafely (ie; in the toilets and surrounding parklands) and so remained in the toilets. In addition to this, another two needle disposal bins were installed in the toilets in Jack Bayliss Park, North Kingscliff and in the unisex disabled toilet in Brisbane Street, Knox Park, Murwillumbah.

This report provides information regarding the progress of these public health and safety initiatives, and asks Council to consider the course of action beyond the current contract period that is due to expire in November 2002.

**RECOMMENDATION:**

That :

1. The needle disposal bins remain in their current locations, and as further "hot spots" are identified more needle disposal bins are installed to meet demand.
2. The needle disposal bins continue to be serviced by SGS Australia (Pink Health Care) until the end of the current contract period (November 2002), and the Council either extend the current contract or go out to tender for a new contract after this time.

## Reports from Director Environment & Community Services

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### REPORT:

#### BACKGROUND:

At the Council meeting of 21 June 2000, it was resolved that Council:

1. Installs needle disposal bins in all the identified "hot-spot toilets"
2. Allocates the necessary funding at its budget review in September.
3. Installs one (1) standing park needle disposal bin within the public park area of Ebenezer Park car park.
4. Trials the installation of "blue lights" in one third of the "hot-spot" toilets.

Commencing in August 2000, the number of needles found in the vicinity of all public toilets by Council staff was recorded. On 15 November 2000, the needle disposal bins were installed in the nominated "hot-spot" toilets by Australian Medical Waste Collection & Disposal, now SGS Australia (Pink Health Care). This contractor was selected by the process of calling for Expressions of Interest, and provides the units, a weekly maintenance service and a monthly usage report. During November 2000, blue lights were installed in 1/3 of the "hot-spot" toilets.

At the Council meeting of 11 April 2001, it was resolved that Council:

1. *Remove the blue lights from the various toilet blocks they were installed in and replace them with normal fluorescent lights.*
2. *Continues to utilise the needle disposal bins and service contractor, SGS Australia (Pink Health Care) for the remainder of their two-year contract.*
3. *Installs units in two more locations, being Jack Bayliss Park, North Kingscliff and in the unisex disabled toilet in Brisbane Street, Knox Park, Murwillumbah.*

The blue lights have subsequently been removed due to public safety concerns. The needle disposal bins have remained, and have been installed in another two locations due to demand (Jack Bayliss Park, North Kingscliff and in the unisex disabled toilet in Brisbane Street, Knox Park, Murwillumbah).

Council cleaning staff have continued to provide data on the number of needles disposed of unsafely, and the contractor SGS Australia (Pink Health Care) have provided Council with data on the number of needles disposed of inside the units.

This data is summarised in the Results Section.

#### RESULTS:

The results of the ongoing needle disposal survey are summarised in Tables 1 and 2.



## Reports from Director Environment & Community Services

**Table 1: Needle disposal data pre-installation of needle disposal bins for the period August – October 2000**

	<b>PUBLIC TOILET</b>	<b>INSIDE</b>	<b>OUTSIDE</b>	<b>TOTAL</b>
1	KNOX PARK*	29		29
2	McILLRATH PARK, Commercial Rd	41	13	54
3	BUCKLEY PARK, Prospero St	4		4
4	BUDD PARK, Alma St	3		3
5	TOWN CLOCK, Queen St*	1		1
6	LIONS LOOKOUT, Karramul St			0
7	CHRIS CUNNINGHAM PARK, Bay St	21	7	28
8	RECREATION OVAL, Recreation St	4		4
9	RAZORBACK LOOKOUT, Razorback Rd			0
10	PIONEER PARK, Kennedy Dr	2		2
11	FAUX PARK, Minjungbal Dr*	4		4
12	TERRANORA SLIPWAY PARK, Dry Dock Rd			0
13	RAY PASCOE PARK, Kennedy Dr*	6	8	14
14	EBENEZER PARK, Keith Compton Dr (car park)			
15	OLD BOATHARBOUR, Fingal*	4		4
16	NEW BOATHARBOUR, Fingal		1	1
17	FAULKS PARK, Kingscliff	1		1
18	ROTARY PARK, Kingscliff	1		1
19	CHINDERAH	2		2
20	BULLAMAKANKA REST STOP, Pacific Hwy, M'bah		12	12
21	JACK BAYLISS PARK, Kingscliff	2		2
22	NICHOLL PARK, Tumbulgum St	1		1
23	NORTH WALL, Duranbah Beach		1	1
24	CUDGEN PARK, Kingscliff (opp Rotary Park)	5		5
25	CNR CORAL & BOUNDARY STREETS, Tweed Heads		1	1
	<b>TOTAL</b>	<b>131</b>	<b>43</b>	<b>174</b>

## Reports from Director Environment & Community Services

Table 2: Needle disposal data post- installation of needle disposal bins for the period November 2000 – July 2002

	<b>PUBLIC TOILET</b>	<b>NEEDLES FOUND INSIDE TOILET BLOCK</b>	<b>NEEDLES FOUND OUTSIDE TOILET BLOCK</b>	<b>TOTAL NEEDLES FOUND DISPOSED UNSAFELY</b>	<b>TOTAL NEEDLES FOUND INSIDE NEEDLE DISPOSAL BINS</b>
1	KNOX PARK	40	1	41	184
2	MCILLRATH PARK Commercial Rd	91	32	123	490
3	BUCKLEY PARK Prospero St	12	0	12	108
4	BUDD PARK Alma St	7	3	10	143
5	TOWN CLOCK Queen St	19	0	19	475
6	LIONS LOOKOUT Karramul St	0	2	2	93
7	CHRIS CUNNINGHAM PARK Bay St	7	9	16	350
8	RECREATION OVAL Recreation St	13	0	13	96
9	RAZORBACK LOOKOUT Razorback Rd	0	0	0	189
10	PIONEER PARK Kennedy Dr	0	8	8	198
11	FAUX PARK Minjungbal Dr	0	0	0	100
12	TERRANORA SLIPWAY PARK Dry Dock Rd	15	0	15	63
13	RAY PASCOE PARK Kennedy Dr	8	0	8	103
14	EBENEZER PARK Keith Compton Dr (carpark)				114
15	OLD BOATHARBOUR Fingal	2	0	2	60
16	NEW BOATHARBOUR Fingal	0	0	0	48
17	FAULKS PARK Kingscliff	3	0	3	179
18	ROTARY PARK Kingscliff	13	0	13	63
19	Jack Bayliss Park Kingscliff	5	6	11	105 (installed in 2001)
	<b>LOCATIONS NOT SERVICED BY NEEDLE BINS</b>				
	Chinderah	4	0	4	
	Bullamakanka Rest Stop Pacific Hwy Mbah				
	Nicholl Park Tumbulgum St Murwillumbah	2		2	
	North Wall Duranbah Beach				
	Cudgen Park Kingscliff (opp Rotary Park)	3	1	4	
	Cnr Coral & Boundary St Tweed Heads				
	<b>Norco Park Tyalgum</b>	2		2	
	Eric Whittle Park (airfield Murwillumbah) – no toilets				
	North Kingscliff				
	Tweed Civic Centre		1	1	
	Murwillumbah Civic Centre		15	15	
	<b>TOTAL</b>	<b>246</b>	<b>78</b>	<b>324</b>	<b>3161</b>

## Reports from Director Environment & Community Services

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### DISCUSSION:

The total number of needles known to be disposed of increased after the installation of the needle disposal bins. The important fact to note is the loss percentage of needles found that were disposed of unsafely, in relation to those found in the needle bins. The percentage of needles known to be disposed of *unsafely* equals 9.3%, while the percentage of needles known to be disposed of *safely* in the needle disposal units is 90.7%. This suggests that the needle disposal units are performing their function adequately.

A number of the needle bins have been vandalised on several occasions in the past, particularly in Murwillumbah. The contracting company is responsible for the periodical monitoring and maintenance of the needle bins and the damaged units have been repaired or replaced, with fixing methods upgraded to discourage further acts of vandalism.

Feedback from Council staff involved in cleaning and maintaining the public toilets has been unanimous in its support of the needle disposal bins. The staff have reported a general decrease in the number of "hidden" needles found both inside and outside the toilet blocks that have the potential to cause needle-stick injury to the public and staff. Before installation of the needle disposal bins the majority of needles disposed of near the toilets were found in cisterns, on ledges, behind toilet bowls and in the vegetation surrounding the toilet blocks. On occasions needles are still found in these locations, but the risk of potentially serious injuries to the public and staff has decreased overall since the bins' installation in November 2000.

The contract with SGS (Pink Health Care) expires in November 2002, and Council needs to make a decision soon as to whether to continue with the use of the needle disposal bins, and whether to extend the current contract or put out to tender again for a new contract for servicing of the needle disposal bins.

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# Reports from Director Environment & Community Services

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## Reports from Director Environment & Community Services

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

**FILE REF:** Garbage – Recycling; Environmental Trust Grants

**REPORT TITLE:**

**Waste Oil Recycling**

**SUMMARY OF REPORT:**

Council has been offered a grant of \$15,920.00 to construct a waste oil collection and recycling facility by Federal Department of Environment and Heritage.

The grant will be used to improve the environmental performance of the existing facility at the Stotts Creek Landfill.

**RECOMMENDATION:**

That Council:-

1. Accepts the grant under normal terms and conditions and the Common Seal of Council be affixed to documentation if applicable.
2. Votes the funding for the project.

## Reports from Director Environment & Community Services

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### REPORT:

Council has been offered a grant of \$15,920.00 to construct a waste oil collection and recycling facility by Federal Department of Environment and Heritage.

The grant will be used to improve the environmental performance of the existing facility at the Stotts Creek Landfill.

The facility will be fully funded by the grant and there is no cost to Council.

The facility chosen in the application for funding is a prefabricated, fully bunded, double walled, 8,000 litre tank with a drum unloading hoist, manufactured by Gunnedah Industries. The facility will be located at Stotts Creek and the tank installed on a concrete slab with a bunded storage area alongside.

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## Reports from Director Environment & Community Services

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

**FILE REF:** Youth Matters

**REPORT TITLE:**

**National Youth Roundtable 2003**

**SUMMARY OF REPORT:**

Applications are currently being sought for young people to attend the above. It is considered Council should encourage young people within the Shire to apply to attend.

**RECOMMENDATION:**

That Council encourages young people within the Shire to apply to attend the National Youth Roundtable 2003.

## Reports from Director Environment & Community Services

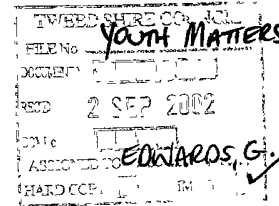
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### REPORT:

Council is advised that applications are open for the National Youth Roundtable 2003. Information concerning this has been received from the Department of Environment & Community Services and is set out below:-



# Reports from Director Environment & Community Services



## Applications open for National Youth Roundtable 2003

Box 7788  
Canberra Mail Centre  
ACT 2610  
Telephone: 1800 624 309  
Facsimile: 02 6212 9222  
Email: [roundtable@thesource.gov.au](mailto:roundtable@thesource.gov.au)  
Website: [www.thesource.gov.au](http://www.thesource.gov.au)

Applications are now being sought from young people wishing to take part in the National Youth Roundtable 2003. Please find enclosed material to help you find out more about the Roundtable. This information has been sent to youth organisations, schools, TAFEs, universities, government agencies and groups/agencies who provide services directly to young people. Your assistance in encouraging young people to apply for National Youth Roundtable 2003 is greatly appreciated.

The National Youth Roundtable was established by the Commonwealth Government to provide a direct dialogue with young Australians and to ensure that their views are taken into consideration in the policy making process.

The Roundtable brings together 50 young Australians, aged 15 – 24 years, to meet with the Government to discuss issues that affect young people.

The young people selected for Roundtable 2003 will:

- be aged between 15 – 24 years on 1 January 2003;
- have various educational and/or employment experience;
- come from diverse cultural backgrounds;
- live in urban, regional and remote localities;
- have demonstrated an interest in issues affecting young people; and
- participate in their local community.

This year, we would particularly like to hear young people's views on:

- youth homelessness;
- what it's like to have family dependants such as children or sick parents;
- living in foster care;
- young Australians and their health needs;
- supporting transitions to independence;
- youth development activities;
- improving service delivery to young people; and
- expanding youth leadership and youth enterprise development opportunities for young people.

If you have any questions in relation to Roundtable 2003 please call our freecall number 1800 624 309 or email [roundtable@thesource.gov.au](mailto:roundtable@thesource.gov.au). Alternatively, you can find further information on the application form(s) supplied.

Please advise applicants to call the freecall number, email us or visit the website at [www.thesource.gov.au/youth\\_roundtable](http://www.thesource.gov.au/youth_roundtable) if they require further information on Roundtable 2003 or the application process. Application forms are available on this website and can be lodged electronically. They can also be submitted by fax on (02) 6212 9222.

Applications close at 5:00pm on 11 October 2002.

**Thank you for your assistance in making Roundtable 2003 a success.**

Matt Davies  
Assistant Secretary  
Youth Bureau, Policy and Promotions

## Reports from Director Environment & Community Services

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It is considered that Council should support this initiative by encouraging young people within the Shire to submit applications to participate. This could be achieved by articles in the Tweed Link, poster display at Council offices and by providing applications to young people who may be interested.

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## Reports from Director Environment & Community Services

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**16. ORIGIN:** Director  
**FILE REF:** Alcohol Free Zones

**REPORT TITLE:**

**Establishment of Alcohol Free Zone - Murwillumbah CBD**

**SUMMARY OF REPORT:**

The Murwillumbah Station of the NSW Police Service and the Murwillumbah District Business Chamber Ltd has requested Council establish alcohol free zones on roads, footpaths and public car parking areas in the Murwillumbah town centre. The request cites examples of intoxication, harassment, offensive language, underage drinking and damage of property as incidents associated with drinking in the requested area.

Council may resolve to declare a public place that is a public road or car park an alcohol free zone for up to three years. Prior to an area being declared alcohol free, the Council must undertake public consultation in accordance with the provisions of Section 644 and 644A of the Local Government Act 1993.

Council resolved in its meeting of the 15<sup>th</sup> May 2002 that the appropriate public consultation be undertaken. Council also resolved that the entire length of Nullum Street be included rather than the length between Condong Street and Murwillumbah Street as originally proposed.

Two rounds of public consultation have been undertaken. The first round describing the areas proposed in general and the second describing the relevant streets, car parks and lanes in detail.

Five submissions have been received. Three supporting the proposal and two requesting the proposed area be extended to include Nullum Lane.

**RECOMMENDATION:**

That Council declares the below listed roads, footpaths and public car parking areas in the Murwillumbah town centre a 24 hour alcohol free zone for a period of 3 years in accordance with the provisions of Section 644B of the Local Government Act 1993. Business areas licensed by Council for footpath dining are not included.

The relevant areas are as follow:

- Queensland Road from 'Harry Williams Gate' of the Murwillumbah Showgrounds to Murwillumbah Street Murwillumbah, including the car park area near Mount Saint Patricks School on Queensland Road.
- Bent Street from Queensland Road to Church Lane
- Church Lane
- Police Lane
- Queen Street from Murwillumbah Street to Church Street
- Murwillumbah Street from the intersection of Nullum Lane to Queen Street.
- Wharf Street from Queen Street to Tumbulgum Road.
- Commercial Road from Wharf Street to King Street.
- King Street from Commercial Road to Brisbane Street.
- Brisbane Street from Murwillumbah Street to Condong Street.

## Reports from Director Environment & Community Services

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- Condong Street from Brisbane Street to Nullum Street.
- Nullum Street.
- Nullum Lane.
- Proudfoots Lane.
- Wollumbin Street from Nullum Lane to the Commercial Road roundabout.
- The Knox Park car park.
- Alma Street from the Commercial Road roundabout to the Alma Street/Tweed Valley Way roundabout.
- Tumbulgum Road from Wharf Street to Racecourse Road.
- Factory Lane.

## Reports from Director Environment & Community Services

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### REPORT:

The Murwillumbah Station of the NSW Police Service and the Murwillumbah District Business Chamber Ltd have requested Council establish alcohol free zones on roads, footpaths and public car parking areas in the Murwillumbah town centre.

Councillor Youngblutt moved in the Council meeting of 15<sup>th</sup> May 2002 that the entirety of Nullum Street was to be included and this addition was accepted by Council resolution. Council also resolved at the meeting that the proposed alcohol free zone be put to public consultation as required by the provisions of Sections 644 and 644A of the Local Government Act 1993.

Two rounds of public consultation have been undertaken. The first round describing the areas proposed in general and the second describing the relevant streets, car parks and lanes in detail.

Five submissions were received in response. Three submissions were general statements of support for the proposal. The other submissions were from Thalia Bower-Williams of the 'Hand Me Downs' store at 58 Wollumbin Street, and Reverend Ian Hartland of the Murwillumbah Uniting Church, both of who requested extensions to the proposed zone. These extensions include Nullum Lane and the additional lengths of Murwillumbah and Wollumbin Streets up to Nullum Lane.

No reason is apparent as to why these extensions should not be permitted, though the alcohol free zone is covering a sufficiently large area that any further extensions may not be keeping in the intention of the Act in prohibiting alcohol from trouble areas.

A revised list of places making up the proposed alcohol free zone is as follows, a map is also attached:

- Queensland Road from 'Harry Williams Gate' of the Murwillumbah Showgrounds to Murwillumbah Street Murwillumbah, including the car park area near Mount Saint Patricks School on Queensland Road.
- Bent Street from Queensland Road to Church Lane
- Church Lane
- Police Lane
- Queen Street from Murwillumbah Street to Church Street
- Murwillumbah Street from the intersection of Nullum Lane to Queen Street.
- Wharf Street from Queen Street to Tumbulgum Road.
- Commercial Road from Wharf Street to King Street.
- King Street from Commercial Road to Brisbane Street.
- Brisbane Street from Murwillumbah Street to Condong Street.
- Condong Street from Brisbane Street to Nullum Street.
- Nullum Street.
- Nullum Lane.
- Proudfoots Lane.
- Wollumbin Street from Nullum Lane to the Commercial Road roundabout.

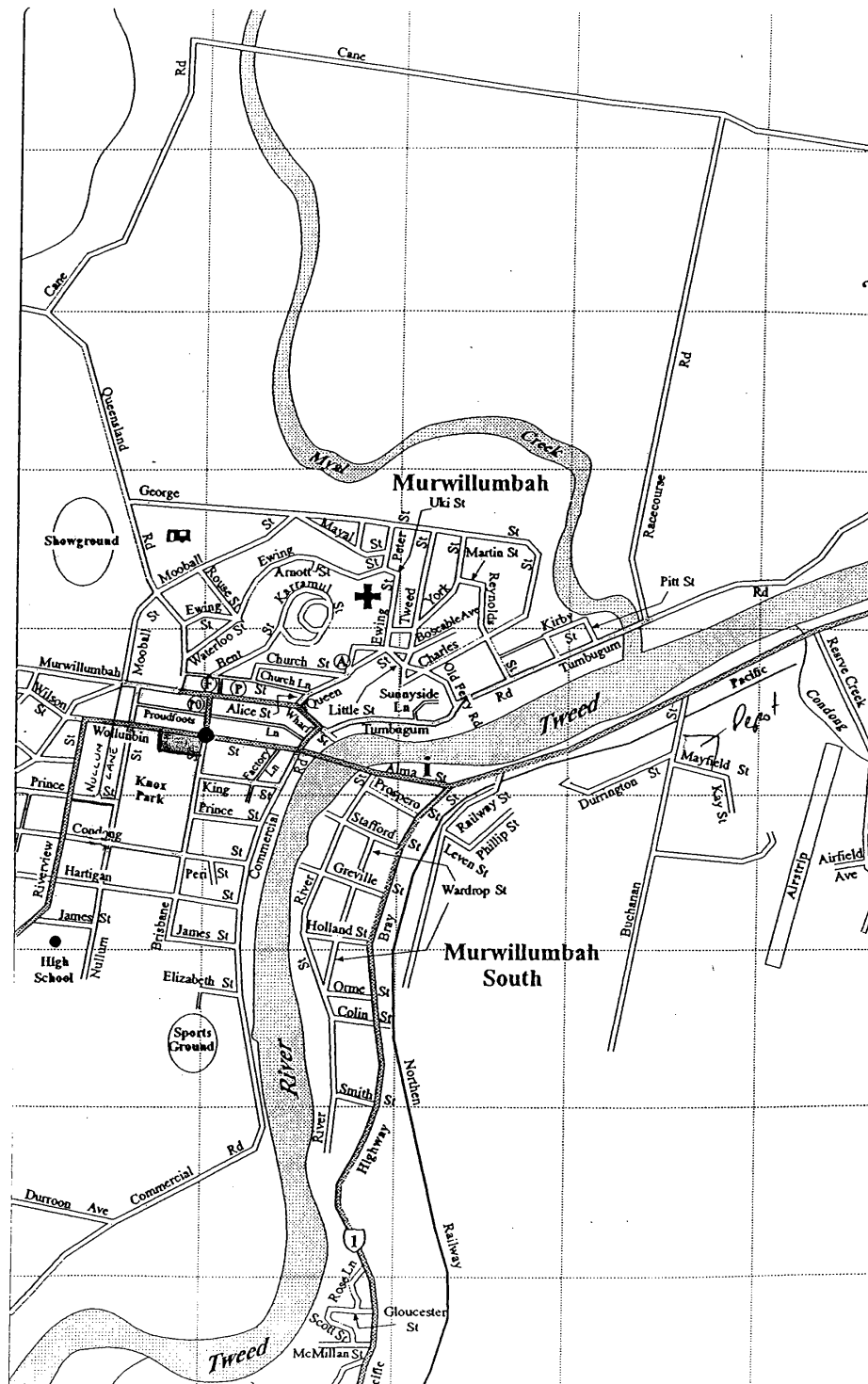
## Reports from Director Environment & Community Services

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- The Knox Park car park.
- Alma Street from the Commercial Road roundabout to the Alma Street/Tweed Valley Way roundabout.
- Tumbulgum Road from Wharf Street to Racecourse Road.
- Factory Lane.

If the alcohol free zone is established it will provide police with options beyond their existing 'move on' powers including the confiscation of alcohol or the issue of Penalty Notices in problem cases.

# Reports from Director Environment & Community Services



## Reports from Director Environment & Community Services

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## Reports from Director Environment & Community Services

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

**FILE REF:** Noxious – Insects & Pests

**REPORT TITLE:**

**Entomological Control Report for Period May to August 2002**

**SUMMARY OF REPORT:**

The following Report outlines nuisance insect and vermin control carried out May – August 2002.

**RECOMMENDATION:**

That this report be received and noted.

# Reports from Director Environment & Community Services

## REPORT:

### BITING MIDGE

#### Seasonal Activity

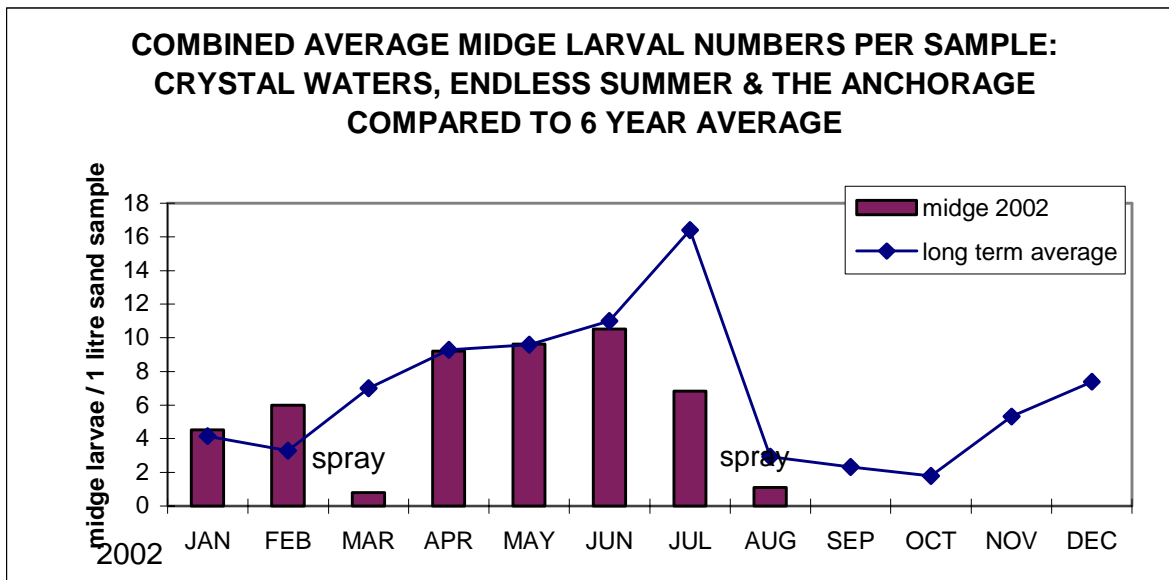
There were only 4 biting midge related enquiries over the report period.

Biting midge larval sampling carried out during July indicated moderate to high numbers of *Culicoides molestus* larvae in major canals.

#### Control

Midge larvicide applications to canal beaches at Endless Summer, Crystal Waters, Blue Waters, Tweed Waters and The Anchorage were carried out during August with good results. Strong winds twice caused the postponement of treatment to Oxley Cove Estate. This canal will be treated as soon as possible.

The following graph shows biting midge larval numbers in the major canals compared with long-term averages.



#### Non-target Organism Sampling

Non-target organism sampling of canal beaches with 1mm mesh sieve, pre and post-spray, was carried out during August. This sampling showed that no statistical changes in non-target organisms occurred between the 3 unsprayed controls and the 3 sprayed treatments pre and post-spray.

### MOSQUITOES

#### Seasonal Activity

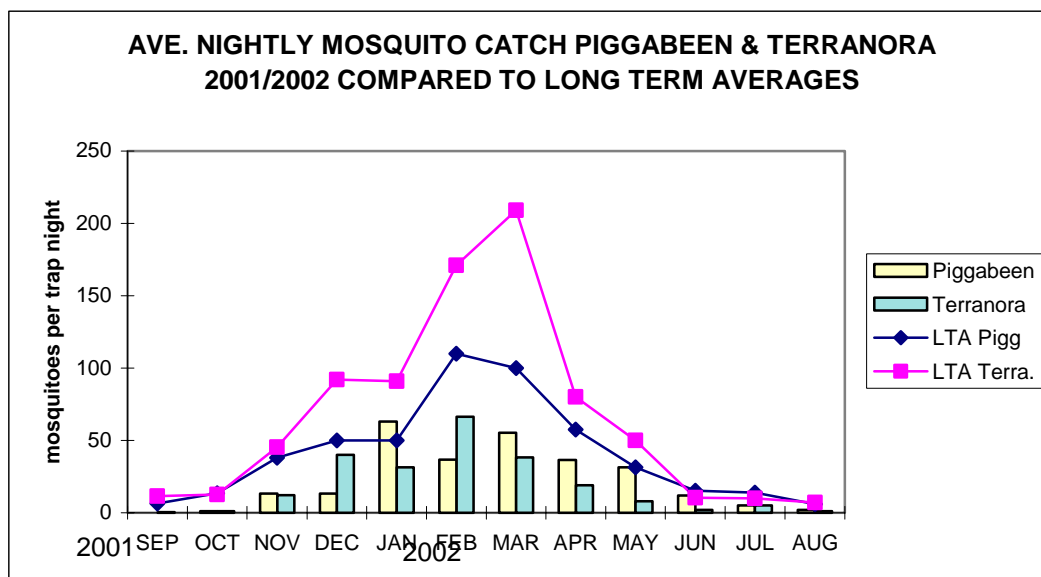
There were 8 mosquito related enquiries over the report period.

## Reports from Director Environment & Community Services

Mosquito breeding was generally light to moderate over the report period. During May scattered breeding occurred in saltmarsh areas surrounding Cobaki and Terranora Broadwaters and at North Tumbulgum. Moderate rainfall during late August caused dormant saltmarsh mosquito eggs to hatch in flooded lowland areas around Tumbulgum, Dodds Island, Chinderah, Tweed Heads West, Terranora and Cobaki. Due to cool temperatures mosquito eggs only hatched in open sunlit areas.

Carbon dioxide baited traps recorded low numbers of mosquitoes over the report period. *Culex sitiens* was the most commonly trapped mosquito followed by *Ochlerotatus multiplex* and *Oc. Vigilax*.

The following graph shows average nightly adult mosquito numbers caught in carbon dioxide baited traps over the report period compared to long term averages.



### Control

Ground based mosquito control utilising biological larvicide was carried out during May and August. Pockets of *Oc. Vigilax* and *V. funereal* breeding around Tweed Heads West, Cobaki, Terranora, Bilambil, Chinderah and Tumbulgum were controlled.

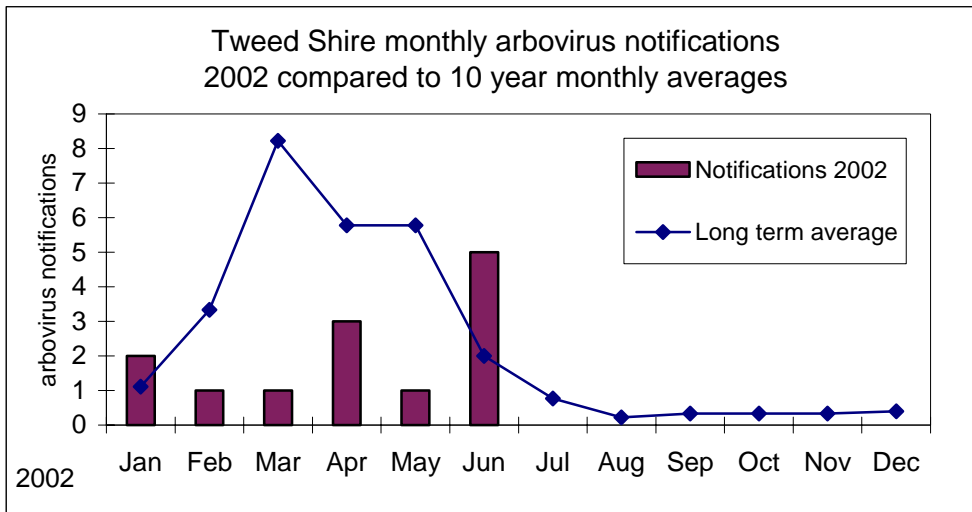
One aerial larvicide treatment was carried out on 2 May to breeding areas at Terranora, Bilambil and North Tumbulgum. A total of 42 hectares was treated.

### Arbovirus

There were 3 notified Ross River virus cases in the shire over the period May – July 2002, and 3 Barmah Forest virus cases.

The following graph depicts arbovirus notifications this year, compared with long-term monthly averages.

## Reports from Director Environment & Community Services



### Acid-Sulfate Soils Conference

Entomologist attended the 5<sup>th</sup> International Acid-Sulfate Soils Conference at Tweed Heads in August. This conference brought together a wide array of experts to discuss diverse issues dealing with acid-sulfate soils and their environmental consequences.

A poster paper, dealing with control of acid drain-water breeding mosquitoes, was presented at the conference. I thank Council for the opportunity to attend this conference. I am also grateful to past and present Councillors and Management, for the full support and freedom given to me, which allowed research avenues that led to my award of recognition at the conference.

### OTHER PESTS

There were 53 enquiries regarding miscellaneous pests over the report period.

Rodent baiting was carried out along Tweed Heads rock walls in May and July. Cockroach spraying was carried out to infested sewer lines at Tweed Heads and Murwillumbah over the report period.

# Reports from Committees/Working Groups

## 1. Minutes of the Tweed River Committee Meeting held Wednesday 21 August 2002

### River Management

**VENUE:**

Canvas & Kettle Restaurant, Murwillumbah Civic Centre

**TIME:**

9.30am.

**PRESENT:**

Cr W Marshall (Chair), Cr M Boyd, Cr H James (Tweed Shire Council); R James (Caldera Environment Centre); T Rabbidge (Department of Land and Water Conservation); L Tarvey (National Parks and Wildlife Service); C Cormack (Waterways Authority); R Quirk (Tweed River Advisory Committee & NSW Cane Growers' Association); D Gray (EcoRoc) ; D Oxenham, G Judge, J Lofthouse, H Tunks, M Tunks (Tweed Shire Council).

**INFORMAL:**

Professor Del Fanning (Maryland University, Washington, USA); Dr Ben McDonald , Ms Annabelle Keene, (University of NSW); Nicola Thomas, Ms Christina Critchley (University of Queensland); Dr David Rowheder (National Parks and Wildlife Service).

**APOLOGIES:**

R Hagley (Department of Land and Water Conservation); G Edwards (Tweed Shire Council, M Tunks as replacement); B Loring (NSW Fisheries); N Newell (State Member for Tweed).

**MINUTES OF PREVIOUS MEETING:**

**Moved:** Cr H James

**Seconded:** Cr W Marshall

**RESOLVED** that the Minutes of Meeting held 19 June 2002 be accepted as a true and accurate record of the proceedings of that meeting.

## Reports from Committees/Working Groups

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### BUSINESS ARISING:

#### 4. Cobaki Wetlands

##### Cobaki Broadwater

A meeting between Tweed Shire Council staff and a LEDA Developments representative was held on Tuesday 13 August 2002. LEDA has requested a steering committee be formed to include NSW Fisheries, Department of Land and Water Conservation, Tweed River Committee and Tweed Shire Council to oversee planning and development of wetland rehabilitation projects on the site. LEDA is proposing to include the wetlands as part of the new Cobaki Lakes Master Plan. It is proposed to create bird habitat and wetland in acid sulfate soil scald areas within the development site. Clive Easton (Tweed Shire Council Entomologist) attended the meeting and strongly emphasised the need to manage mosquito breeding/harbourage.

Cr James noted the importance of timing and the avoidance of delay in establishing the wetlands. Cr James to determine current status of commitment to provide wetlands and report back to the Committee.

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#### 11. Conferences

##### Conferences

Tweed River Committee and the Tweed Shire Council Laboratory are combining funding and staff resources to establish a stall at the International Acid Sulfate Soil Conference being held this month. Robert Quirk advised that over 260 delegates have registered. Tweed Shire Council is hosting a civic reception for delegates.

J Lofthouse advised that two registrations have been purchased for the National Coast to Coast 2002 Conference (4-8 November 2002, Twin Towns Services Club) to be shared between community members of the Tweed River Committee and Tweed Coastal Committee. The program will be distributed when available. A schedule will be established to share the sessions amongst the interested community members.

Cr Marshall advised the River Symposium is to be held in Brisbane from 3 – 6 September 2002. All three conferences are visiting the McLeods Creek ASS research site as a field trip.

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#### 6. Tumbulgum Swimming Enclosure

##### Boating

The establishment of a swimming enclosure at Tumbulgum foreshore was discussed as Business Arising at the last meeting. J Lofthouse advised that liaison with NSW Waterways Authority has resulted in a decision to establish a non-boating beach. For liability reasons it is preferable to avoid declaring such area safe for swimming.

It was also resolved, that for similar reasons, the wording of the signs at old Fingal Head Boat Harbour are to be changed to advise that beaching of boats between the signs is not permitted.

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## Reports from Committees/Working Groups

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### 1. Missing Committee Funds – Water Research Foundation

#### Acid Sulfate Soils

Arising as Correspondence In from the Committee Meeting of 17 April 2002, the matter of the missing funds from the Water Research Foundation was discussed.

The correspondence stated that in December 1996, Council provided \$78,000 to the Foundation to engage CRES to trial liming of drains to improve water quality in the Tweed, and to date the balance of unspent funds is \$13,004.

A written request for return of these funds, signed by the General Manager, has previously been sent to Mr Jack Beale upon receipt of the correspondence from Professor White. Discussion regarding further action to be taken.

**RESOLVED** that the Committee send a follow up letter requesting the return of the remaining funds.

#### CORRESPONDENCE IN:

#### (a) Communiqué No. 15 – Northern Rivers Catchment Management Board (NRCMB) Total Catchment Management

Update on the activities of the NRCMB. Cr Boyd advised that the Blueprint is with Cabinet and is expected to be completed and approved by the end of October. All major projects applying for NHT funding are to be submitted to the NRCMB for review. Cr Boyd advised that the board members have had their period of service extended to October 2003.

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#### CORRESPONDENCE OUT:

#### (a) Mr K Eaton – Dry Dock Fish Cleaning Facility

#### Boat Ramps

Correspondence was sent to Mr K Eaton of South Tweed Heads advising of the Committee resolution to provide necessary funds for the fish cleaning table at Dry Dock Road Boat Ramp and Council's application to NSW Waterway Authority for 50% of the total funds to upgrade the ramp and provide the table.

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#### (b) WADAMP Grant Applications

#### Boat Ramps

Applications for grants under the Waterways Asset Development and Maintenance Program (WADAMP) have been submitted for Lakes Drive Jetty and Boatramp upgrade, Chinderah Boatramp upgrade, and Dry Dock Road Boatramp upgrade (including the fish cleaning facility).

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## Reports from Committees/Working Groups

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### GENERAL BUSINESS:

#### 1. Tweed Estuary Nature Reserve Draft Plan of Management

##### Tweed Estuary Nature Reserve

Lance Tarvey (National Parks and Wildlife Service) advised that he is currently preparing a Draft Plan of Management for the Tweed Estuary Nature Reserve. A copy of a Preliminary Issues Paper was provided to all members. L Tarvey discussed the preliminary issues, scope of the Management Plan, statutory basis and requested that any members with questions/information to contact himself directly.

In addition to the key stakeholders represented on the Tweed River Committee, the local residents groups and the Tweed Byron Aboriginal Land Council will be consulted, followed by an internal review process. The Draft Plan of Management will be exhibited for public comment. It will be approximately 12 months before plan is expected to be adopted. L Tarvey to forward copies of the Preliminary Draft to NSW Fisheries, DLWC and Clive Easton (TSC).

Cr James advised that vegetation mapping is available and he will forward to Lance directly. Cr Boyd initiated discussion on the islands within the Reserve and the possible renaming of Big Island. L Tarvey advised that the islands near Boyds Bay Reserve are not included due to native Title Claims. However, there may be additions to the Reserve later, for example the Crown Land near the mouth of Cobaki Creek. L Tarvey advised that the Tweed Estuary Nature Reserve boundary is the mean low water mark. Tidal waters are not part of the Nature Reserve.

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Carl Cormack left 10.30am.

#### 2. Update on Acid Sulfate Soils Projects

##### Acid Sulfate Soils

Annabelle Keene and Ben McDonald from the University of NSW presented reports on the successful outcomes from completed and ongoing work at McLeods Creek, and also new projects at North Tumbulgum and Dulguigan.

It should be noted that the research shows the changing farm management practices have resulted in a significantly lower outflow of acid water, higher cane productivity and the water quality in the main drains recovers much more rapidly following an acid event. Also noted that the funds supplied by the Tweed River Committee have been utilised to provide important monitoring equipment.

Full copies of the presentations are available from Jane Lofthouse.

#### 3. Professor Del Fanning (Maryland University, Washington USA)

##### Acid Sulfate Soils

As a speaker at the forthcoming Acid Sulfate Soil Conference, and a host for Robert Quirk on his Churchill Scholarship Study Trip, Professor Fanning briefly described his involvement in the Acid Sulfate Soil research being undertaken in Chesapeake Bay.



## Reports from Committees/Working Groups

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#### 4. Stotts Channel Vegetation Clearing Management and Potential Dredging Drainage Union – Duranbah

A meeting was held on Monday 12 August 2002 with representatives from the Duranbah Drainage Union, Tweed Shire Council, NSW Fisheries, DLWC and NSW NPWS to further develop a Memorandum of Understanding between the various parties to facilitate restricted clearing of Stotts Channel as required.

J Lofthouse advised that Carmel Kennedy (Tweed Shire Council Environmental Scientist) is putting together a Draft Plan of Management including the extent of vegetation clearing works, trigger for commencement of works, notification process, and the need for prior inspections by NSW Fisheries and NSW NPWS with the Drainage Union.

Discussion on the reasons for dredging i.e. flood drainage and navigation. Noted that the narrowing of the channel was due to side-casting of dredge spoil. An Environmental Impact Study (EIS) may be required for dredging works.

*Robert Quirk declared an interest in this issue and did not vote.*

**Moved:** Cr Boyd  
**Seconded:** Cr Marshall

**RESOLVED** that a preliminary investigation be carried out to determine what information is required to remove a portion of the sand bank at the downstream end of Stotts Creek Channel

#### **RECOMMENDATION:**

That a preliminary investigation be carried out to determine what information is required to remove a portion of the sand bank at the downstream end of Stotts Creek Channel.

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#### 5. Bird Monitoring

##### **Fauna Protection, Monitoring**

Dr David Rohweder, NSW National Parks and Wildlife Service, presented a brief summary of the bird monitoring data to date. David has been monitoring shorebirds and waders birds in the Tweed River estuary since March 1997. Management implications and recommendations for future actions were included in the report.

The future directions of this program will be discussed at the next Committee meeting. A copy of the full presentation will be forwarded to all members with the Agenda.

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#### 6. Ecological Health of the Tweed River Estuary

##### **Monitoring, Water Quality**

Nicola Thomas and Christina Critchley (University of Queensland) presented the final report on the Ecological Health Monitoring Program undertaken by the Marine Botany Group, University of Queensland.

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## Reports from Committees/Working Groups

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A full copy of the presentation is available from Jane Lofthouse.

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### 7. Tweed River Festival

#### Tweed River Festival

Cr Marshall provided an update on the progress of the planning. The Daily News graphic designer has designed a logo for the Festival and a colour copy was shown to the attendees. The logo will be used in conjunction with the Tweed Shire Council and Tweed River Committee logos where appropriate.



**Moved:** R Quirk  
**Seconded:** Cr Marshall

**RESOLVED** that the Minutes of the Tweed River Festival Sub-Committee Meeting held 9 July 2002 be adopted, and the logo as presented at this meeting be adopted to represent the Tweed River Festival. A copy of the minutes were provided to the attendees and additional copies are available from Jane Lofthouse.

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#### NEXT MEETING:

The next meeting of the Committee is to be held on 23 October 2002 at the Canvas & Kettle Restaurant commencing at 9.30 am.

The meeting closed at 12.45

#### *Director's Comments:*

NIL

[document7]

## Reports from Committees/Working Groups

### DIRECTOR'S RECOMMENDATIONS:

4. **Stotts Channel Vegetation Clearing Management and Potential Dredging  
Drainage Union – Duranbah**

### Committee Recommendation:

That a preliminary investigation be carried out to determine what information is required to remove a portion of the sand bank at the downstream end of Stotts Creek Channel.

<b>Director's Recommendation:</b> <i>That the Committee's recommendation be endorsed.</i>
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## Reports from Committees/Working Groups

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### 2. Minutes of the Tweed Coastal Committee Meeting held Wednesday 21 August 2002

**File No: Coastal Committee**

**VENUE:**

Canvas and Kettle Restaurant, Murwillumbah.

**TIME:**

1.30pm

**PRESENT:**

Cr Wendy Marshall (Chair), Cr Max Boyd, Cr Henry James, Terry Kane (Cabarita Beach-Bogangar), Gary Thorpe (Hastings Point), Rhonda James (Caldera Environment Centre), Craig Venner (Pottsville Beach), John Harbison (Mooball), Lance Tarvey (NSW National Parks and Wildlife Service), R Keevers (for S Brawley), D Oxenham, J Lofthouse, H Tunks (Tweed Shire Council).

**APOLOGIES:**

Ted Griffiths (Kingscliff), Richard Hagley, T Rabbidge (Department of Land and Water Conservation), Neville Newell (Member for Tweed), S Brawley (Tweed Shire Council).

**MINUTES OF PREVIOUS MEETING:**

**Moved:** Cr Boyd

**Seconded:** C Venner

**RESOLVED** that the minutes of the meeting held Wednesday 17 April 2002 be accepted as a true and accurate record of the proceedings of that meeting.

**BUSINESS ARISING:**

#### 4. Coast to Coast 2002 – Australia's National Coastal Conference

##### Conferences

J Lofthouse advised a registration has been purchased for the National Coast to Coast 2002 Conference to be held on 4-8 November 2002 at Twin Towns Services Club. The program will be circulated when available to identify sessions of interest to individual community members of the Tweed Coastal Committee. A schedule will be created to maximise the attendance, interested members to contact Jane to organise attendance.

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#### 5. International Acid Sulfate Soils Conference

##### Acid Sulfate Soils

Tweed River Committee and the Tweed Laboratory Centre have combined funding and staff resources to establish a stall at the International Acid Sulfate Soil Conference being held from 26 – 30 August 2002 at Twin Towns Services Club and Resort.

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## Reports from Committees/Working Groups

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### 9. Mooball Creek – Weed Control

#### Mooball Creek

Rhonda James advised that the aerial spraying of coastal areas to control bitou bush has been completed, and has been complemented by Tweed Shire Council spraying of creek banks. This program has been very successful. The Far North Coast County Council is scheduled to complete the spraying in other areas.

C Venner advised that Dunecare has also sprayed Poole Reserve (eastern side of Mooball Ck).

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### 8. Clearing of Foreshore Vegetation

#### Coastal Management

The following Committee recommendation was put to the Council and was received and noted without discussion:-

*“That Council notes that the Committee expresses its deep concern at the lack of action taken against unauthorised clearing of vegetation in coastal reserves as it tends to negate the work undertaken by the community through the Tweed Coastal Committee, DuneCare and other authorised groups”.*

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### 3. Pottsville Boat Ramp

#### Mooball Creek, Boat Ramps

Pottsville Boat Ramp car parking and traffic safety improvements have been completed. Cr James reported users have reported difficulties in reversing vehicles down the boat ramp and requested that some modification be considered. D Oxenham advised that a meeting has taken place on site and Council’s design team are to follow up with the necessary design changes. D Oxenham to liaise with Ian Monro and report back to next meeting.

C Venner requested funds to assist with removal of Madeira Vine (*Anredera cordifolia*) immediately adjacent the boat ramp . R James advised that it will be organised through other rehabilitation works being undertaken in the area.

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### 1. Review of Coastal Estuaries Bank Management Plan

#### Cudgen Creek, Cudgera Creek, Mooball Creek

Discussion regarding bank management and prioritisation of erosion sites through a formal review of the Estuary Management Plan. Item to be discussed at next meeting.

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#### CORRESPONDENCE IN:

Nil

## Reports from Committees/Working Groups

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### CORRESPONDENCE OUT:

#### (a) Tender Document for Removal of Cudgera Creek Bridge Tidal Obstructions

##### Cudgera Creek

A copy of the tender documentation has been sent to Ian Taggert Earthmoving to quote on the removal of tidal obstructions from under Cudgera Creek Bridge. Previously only one contractor had tendered for this project and this contractor pulled out at a later date. Another contractor has indicated interest and is to submit quote by 21 August.

G Thorpe advised that NSW Fisheries approvals have just lapsed. Suggested that permits be renewed as soon as possible.

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### GENERAL BUSINESS:

#### 2. Aquatic Licence, Mooball Creek

##### Mooball Creek

J Lofthouse advised that an application has been received for an extension to an existing Aquatic Licence held in Mooball Creek to hire 6 to 8, 4.0 metre 5hp aluminium boats. Previously only passive water sports equipment had been hired eg canoes and water bikes.

Discussion on 4 knot speed limit and bank erosion problem. Carl Cormack has advised that he is not in favour of extension of the licence to include powered craft. The Estuary Management Plan for the coastal creeks encourages passive recreation, therefore, the hire of powered craft is not in accordance with the Estuary Management Plan.

**Moved:** Cr James

**Seconded:** C Venner

### RECOMMENDATION:

That the Aquatic Licence held for boat hire in Mooball Creek not be extended to include powered craft.

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#### 3. Tweed Coastline Management Study and Management Plan

##### Coastal Management

J Lofthouse advised that five proposals have been received from Consultants for the preparation of the Management Study and Management Plan. The Recommendation is going to the Council meeting of 4 September. Work done within the Coastline Hazard Definition Study has produced detailed information on erosion lines. The Management Study and Management are now required to interpret this information and provide planning a management advice.

POSTSCRIPT: The successful tender was submitted by Umwelt (Australia) Pty Ltd.

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## Reports from Committees/Working Groups

### 4. Proposed Norries Headland Caravan Park

#### Coastal Management

T Kane initiated discussion on the future development application for caravan park at Norries Headland and the impact on the Coastline Management Study. Discussion continued regarding the proposed redevelopment of two other Council caravan parks: Kingscliff North and Kingscliff. Discussion on the timing of these development proposals prior to completion of the Coastline Management Study and Management Plan. It was advised that the Norries Headland site is not located within the erosion lines however the other caravan parks are within the current 50 and 100 year erosion lines.

G Thorpe reported that Douglas Jardine (Manager Strategic Planning) is to speak to Hastings Point Progress Association regarding Council's vision for coastal development.

**Moved:** Cr Boyd

**Seconded:** Cr Marshall

#### RECOMMENDATION:

That the Committee brings to the attention of Council that in the Committee's opinion, the timing of the development applications for the three coastal Council Caravan Parks on Crown Land (North Kingscliff, Kingscliff and proposed Norries Headland) is inappropriate because it pre-empts the outcomes of the Tweed Coastline Management Study and Management Plan.

### 5. Peninsula Drive Footbridge

#### Cudgera Creek

G Thorpe raised the issue of a proposed footbridge across Cudgera Creek to Peninsula Drive for the purpose of supporting a new trunk water main. D Oxenham advised that construction of the footbridge is scheduled in approximately 3 years. D Oxenham to report back to next meeting on the proposed location of the footbridge.

#### NEXT MEETING:

The next meeting of the Committee is to be held on 23 October 2002 at the Canvas & Kettle Restaurant commencing at 1.00 pm.

The meeting closed at 2.25pm

#### *Director's Comments:*

*NIL*

## Reports from Committees/Working Groups

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### DIRECTOR'S RECOMMENDATIONS:

#### 2. Aquatic Licence, Mooball Creek

**Mooball Creek**

#### Committee Recommendation:

That the Aquatic Licence held for boat hire in Mooball Creek not be extended to include powered craft.

<i>Director's Recommendation:</i> <i>That the Committee's recommendation be endorsed.</i>
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#### 4. Proposed Norries Headland Caravan Park

**Coastal Management**

#### Committee Recommendation:

That Council notes that in the Committee's opinion, the timing of the development applications for the three coastal Council Caravan Parks on Crown Land (North Kingscliff, Kingscliff and proposed Norries Headland) is inappropriate because it pre-empts the outcomes of the Tweed Coastline Management Study and Management Plan.

<i>Director's Recommendation:</i> <i>That the Committee's recommendation be endorsed.</i>
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## Reports from Committees/Working Groups

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

3. **Minutes of the Community Cultural Development Advisory Committee Meeting held  
Thursday 8 August 2002**
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## Reports from Committees/Working Groups

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# Orders of the Day

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**1. Notice of Motion - Cr Beck**

**Council Union Picnic Day - 8 November 2002**

**Staff-Leave Entitlements; Notice of Motion**

That all Tweed Shire Council staff are entitled to have the day off work on the Council Union Picnic Day on Friday, 8 November 2002.

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**2. Notice of Motion - Cr Beck**

**Alcohol-Free Zone-Murwillumbah Central Business District**

**Alcohol-Free Zones; Notice of Motion**

That the Central Business District of Murwillumbah be officially declared an "Alcohol Free Zone".

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# Orders of the Day

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