

Items for Consideration of Council

| | |
|--|-----------|
| Schedule of Outstanding Resolutions | 7 |
| Mayoral Minute | 13 |
| Items Deferred | 17 |
| 21. ORIGIN: Building Services Unit | 17 |
| Building Enclosure Below Council's Design Flood Level - Lot 5 DP 248042 10 McLeod Street, Condong | 17 |
| Reports from Director Development Services | 33 |
| 1. ORIGIN: Strategic Town Planning Unit | 35 |
| Sewerage Treatment Plant Buffer – Banora Point | 35 |
| 2. ORIGIN: Development Assessment Unit | 43 |
| Assignment of Rights under the Deed of Agreement from Robert Andrew Byrne and Robert Phillip Byrne to Kentdell Pty Ltd | 43 |
| 3. ORIGIN: Development Assessment Unit | 45 |
| Development Application 0689/2000DA - Storage and Launching Facility for Tweed Coast Sea Rescue Squad at Lot 7018 DP 755701 Coast Road, Hastings Point | 45 |
| 4. ORIGIN: Development Assessment Unit | 59 |
| Development Application 0717/2001DA - Proposed Office Accommodation at Lot B DP 174482, No. 3 Nullum Street, Murwillumbah - Waiving of Section 94 Contributions for Roads | 59 |
| 5. ORIGIN: Development Assessment Unit | 61 |
| Review of Environmental Factors 0054/2001PTV for a Road Widening and Relocation at Fingal Road | 61 |
| 6. ORIGIN: Strategic Town Planning Unit | 75 |
| Draft Tweed Local Environmental Plan 2000, Amendment No 31 and 32 (Housekeeping (Stage 1)) | 75 |

Items for Consideration of Council

| | | |
|---|--|------------|
| 7. | ORIGIN: Development Assessment Unit | 79 |
| | Review of Determination of Development Application 0028/2002S96 for an Amendment to Development Consent 0661/2001DA for a Three (3) Lot Industrial Subdivision at Lot 3 DP 717401, Lot 12 DP 1000868, No. 22 Lundberg Drive, Murwillumbah | 79 |
| Reports from Director Corporate Services | | 81 |
| 8. | ORIGIN: Financial & Information Services Unit | 81 |
| | Making the Rate - 2002/2003 | 81 |
| 9. | ORIGIN: Director | 113 |
| | Australian Local Government Women's National Bi-Annual Conference - 2002 | 113 |
| 10. | ORIGIN: Director | 117 |
| | Fifth World Annual Acid Sulfate Soil Conference | 117 |
| 11. | ORIGIN: Administration Services Unit | 119 |
| | Local Government Managers Australia (LGMA) NSW Division 2002 Annual Conference – 31 July to 3 August 2002 | 119 |
| 12. | ORIGIN: Administration Services Unit | 123 |
| | State Assembly of Local Government - 22 to 23 July 2002 | 123 |
| 13. | ORIGIN: Director | 127 |
| | Inaugural Companion Animals Conference - August 2002 | 127 |
| 14. | ORIGIN: Director | 129 |
| | Tweed and Coolangatta Tourism Inc. (TACTIC) Monthly Performance Report - May 2002 | 129 |
| Reports from Director Engineering Services | | 135 |
| 15. | ORIGIN: Design Unit | 135 |
| | Classification of Land as Operational - Lot 15 in DP 1037891 being the New Art Gallery Complex | 135 |
| 16. | ORIGIN: Works Unit | 137 |
| | Mahers Lane Extension to Fraser Drive | 137 |
| 17. | ORIGIN: Works Unit | 145 |
| | Clothiers Creek Road - Road Safety Audit | 145 |
| Reports from Director Environment & Community Services | | 149 |
| 18. | ORIGIN: Environment & Health Services Unit | 149 |
| | Knox Park Markets - Food Vending Stalls | 149 |

Items for Consideration of Council

| | |
|---|------------|
| 19. ORIGIN: Environment & Health Services Unit | 151 |
| Annual Urban Animal Management Conference | 151 |
| 20. ORIGIN: Environment & Health Services Unit | 157 |
| NSW Committee on Ageing - Report of Consultations in Tweed Heads and Murwillumbah | 157 |
| 21. ORIGIN: Building Services Unit | 161 |
| Building Enclosure below Council's Design Flood Level - Lot 5 DP248042 No. 10 McLeod Street, Condong | 161 |

Reports from Committees/Working Groups **163**

| | |
|---|-----|
| 1. Minutes of the Tweed Shire Council Disability Access committee Meeting Held Thursday 16 May 2002 | 163 |
| 2. Minutes of the Local Traffic Committee Meeting held Thursday 20 June 2002 | 170 |
| MINUTES CIRCULATED TO COUNCILLORS WITH THIS AGENDA NOT REQUIRING A COUNCIL DECISION | 186 |
| 3. Notes of Meeting – Gold Coast City Council/Tweed Shire Council held 30 May 2002 at Tweed Heads | 186 |
| 4. Minutes of the Sports Advisory Committee Meeting held Tuesday 18 June 2002 | 186 |

Workshops **187**

Items for Consideration of Council

C O N F I D E N T I A L

| | | |
|--|--|-----------|
| Reports from Director Engineering Services in Committee | | 5 |
| 1. ORIGIN: Water Unit | | 5 |
| EQ2001-61 Provision of In House Consultancy Services for Water and Sewerage Projects | | 5 |
| <i>Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)</i> | | |
| <i>(d) commercial information of a confidential nature that would, if disclosed:</i> | | |
| <i>(i) prejudice the commercial position of the person who supplied it, or</i> | | |
| <i>(ii) confer a commercial advantage on a competitor of the council, or</i> | | |
| <i>(iii) reveal a trade secret</i> | | 5 |
| 2. ORIGIN: Water Unit | | 7 |
| Contract No. 0100689 Construction of Sewerage Reticulation Network, Pump Stations and Rising Mains for the Village of Uki | | 7 |
| <i>Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)</i> | | |
| <i>(d) commercial information of a confidential nature that would, if disclosed:</i> | | |
| <i>(i) prejudice the commercial position of the person who supplied it, or</i> | | |
| <i>(ii) confer a commercial advantage on a competitor of the council, or</i> | | |
| <i>(iii) reveal a trade secret</i> | | 7 |
| 3. ORIGIN: Director | | 11 |
| Houses on Road Reserve - Reserve Creek Road | | 11 |
| <i>Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)</i> | | |
| <i>(a) personnel matters concerning particular individuals</i> | | |
| | | 11 |
| Reports from Director Environment & Community Services in Committee | | 15 |
| 4. ORIGIN: Building Services Unit | | 15 |
| Unauthorised Building - Lot 38 DP869853 No. 4 Environmental Drive, Pottsville - Owners: Young, Young, Young & Payne | | 15 |
| <i>Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)</i> | | |
| <i>(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege</i> | | |
| | | 15 |
| 5. ORIGIN: Director | | 37 |
| Cabarita Beach Surf Life Saving Club Section 94 Contributions - New Clubhouse | | 37 |
| <i>Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)</i> | | |
| <i>(d) commercial information of a confidential nature that would, if disclosed:</i> | | |
| <i>(i) prejudice the commercial position of the person who supplied it, or</i> | | |
| <i>(ii) confer a commercial advantage on a competitor of the council, or</i> | | |
| <i>(iii) reveal a trade secret</i> | | 37 |
| 6. ORIGIN: Environment & Health Services Unit | | 49 |
| Public Access Restriction - Dilapidated Structure | | 49 |
| <i>Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)</i> | | |
| <i>(b) the personal hardship of any resident or ratepayer</i> | | |
| | | 49 |
| <i>Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)</i> | | |
| <i>(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege</i> | | |
| | | 49 |

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 September.

Schedule of Outstanding Resolutions

19 DECEMBER 2001

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

33. Future Doon Doon Hall

Rural Hall - Doon Doon

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.

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: Report imminent.

6 MARCH 2002

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

3. Local Environmental Study and Draft Local Environmental Plan - Seaside City

GT1/LEP/2000/3 Pt6; LEP – Seaside City

741

Cr Brinsmead

Cr Lawrie

RESOLVED that further communication with the owners of Seaside City regarding rezoning issues be deferred until Councillors have more information about the present status of the planning process.

Current Status: Report to Council in conjunction with Department of Local Government Investigation report.

Schedule of Outstanding Resolutions

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).

Current Status: Report being prepared.

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

38. **Desexing of Cats and Dogs**

Companion Animals Committee

831

Cr Youngblutt

Cr Luff

RESOLVED that this matter be deferred to allow consultation with the “Friends of the Pound”.

Current Status: Consultation taken place – issues being researched and report to Council.

ORDERS OF THE DAY

3. **Staffing**

Notice of Motion; Staffing Levels

839

Cr Beck

Cr Lawrie

RESOLVED that a report be brought forward regarding the adequacy of the staffing numbers in the Planning and Building Departments as soon as possible.

Current Status: Report to be prepared.

Schedule of Outstanding Resolutions

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: Awaiting release of the Study.

REPORTS FROM SUB-COMMITTEES

3. Minutes of the Aboriginal Advisory Committee Meeting held Friday 1 March 2002
Aboriginal Matters

4. Jack Evans Boat Harbour

Aboriginal Matters

874

Cr Boyd

Cr James

RESOLVED that this item be deferred until further information is received by Council.

Current Status: Awaiting further information.

1. Aboriginal Heritage Study

Aboriginal Matters

875

Cr James

Cr Luff

RESOLVED that a report be prepared on:

1. The need for an Aboriginal Heritage Study and
2. Options for the form and scope of such a study.

Current Status: Report being prepared.

Schedule of Outstanding Resolutions

ORDERS OF THE DAY

4a. Tweed Road Contribution Plan

Notice of Motion; Section 94 Plans

886

Cr James

Cr Marshall

RESOLVED that a report be prepared on the need to adjust the Tweed Road Contribution Plan in light of the significant reduction in trips assumed for resort tourist development approvals at Casuarina Beach. The report should include an outline of options available to adjust the Plan so that there is no adverse effect on overall contributions collected for the program of works proposed in the plan.

Current Status: Report being prepared.

5 JUNE 2002

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

25. Acquisition of Crown Land being Lot 1 in DP 1040811 at Bogangar - Les Burger Field

Les Burger Field; 1190.1240

1057

Cr James

Cr Beck

RESOLVED that Council defers this matter to allow further assessment of the evaluation.

Current Status: State Valuation Office briefed to advise additional advice.

19 JUNE 2002

REPORTS FROM DIRECTOR ENGINEERING SERVICES

20. NSW Floodplain Management Authorities Annual Conference

Floodplain Management - Annual Conference

1113

Cr Boyd

Cr Marshall

RESOLVED that officers bring forward a report on the estimated costs in relation to raising the Murwillumbah East Levy and the Dorothy Street Levy.

Current Status: Report being prepared.

Schedule of Outstanding Resolutions

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.

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.

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 17 July 2002.

Mayoral Minute

Councillors,

**1. Proceeds of Mayoral
Ball**

Charities

21 June – Presented cheques to Tweed Heads and Murwillumbah Hospitals for proceeds of Mayoral Ball

**2. Telstra Countrywide
Councillors' Invitations**

21 June – attended at Pottsville for launch of Telstra Countrywide's New Tower

**3. Tourism – Gateway
Centre**

Tourism/Gateway

24 June – attended Rainforest Centre for hand over of money for Gateway Centre by Hon Sandra Nori (Minister for Tourism)

**4. Murwillumbah Lions
Club Annual
Changeover
Councillors' Invitations**

25 June – attended the Murwillumbah Lions Club Annual Changeover Dinner at Murwillumbah RSL

**5. Latitude 28
Councillors' Invitations**

27 June – attended Latitude 28 function – Meet the Owners at Twin Towns

Mayoral Minute

6. Red Cross Fundraiser Councillors' Invitations

29 June – went to “gaol” in Tweed City Shopping Centre as part of Red Cross Fundraiser activities

7. Kingscliff Ambulance Councillors' Invitations

29 June – attended Kingscliff Ambulance Station for the presentation and commissioning of new First Aid Vehicle

8. Tweed River War Widows' Association 5th Annual General Meeting Councillors' Invitations

1 July – attended the Tweed River War Widows' Association 5th Annual General Meeting at South Tweed Bowls Club

9. Rotary Club of Kingscliff Councillors' Invitations

2 July – attended Annual Changeover Dinner of Rotary Club of Kingscliff.

10. Election of Mayor Mayoral Election

It is proposed that the election for the Mayor will take place at the first Council meeting in September, that being Wednesday 4 September 2002.

INVITATIONS ACCEPTED

- 5 July – Citizenship Ceremony Tweed Heads (18 candidates)
- 5 July – Tweed Theatre Co. Presentation “Jesus Christ Superstar” - Tweed Bowls Club
- 6 July – Tweed Rescue Squad 30th Anniversary Dinner – Club Banora
- 8 July – Welcome Cocktail Party for RSL & Services Clubs Conference – Twin Towns

Mayoral Minute

ABSENCES FROM SHIRE BY GENERAL MANAGER AND DIRECTORS

➤ **General Manager (John Griffin)**

22-23 July 2002 NSW State Assembly of Local Government
Sydney

29-30 July 2002 2002 Local Roads Congress
Toowoomba

➤ **Director Corporate Services (Ian Carpenter)**

1 July 2002 Coastal Road Show
South Grafton

1 July 2002 to Annual Leave (Richard Adams Acting Director)
12 July 2002

➤ **Director Development Services (David Broyd)**

1 July 2002 Launch of PIA at Deacons
Sydney

5 July 2002 RAPI Northern Branch meeting
Grafton

16 July 2002 Comprehensive Coastal Assessment Committee -
Sydney PNSW

➤ **Director Engineering Services (Mike Rayner)**

4 July 2002 Water Directorate Executive Committee Meeting &
Sydney DLWC / LGSA Liaison Committee

5 July 2002 to Annual Leave (Bob Missingham Acting Director)
19 July 2002

➤ **Director Environment & Community Services (Don Buckley)**

8 July 2002 BSAP NSW Meeting
Ballina

Mayoral Minute

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

Items Deferred

ITEM DEFERRED FROM MEETING 19 JUNE 2002

21. *Building Enclosure Below Council's Design Flood Level - Lot 5 DP 248042 10 McLeod Street, Condong*

DA02/0569 Pt1; 3220.410

1117

Cr Polglase

Cr Boyd

RESOLVED that Council defers this item until the next Council meeting.

This item is the subject of a further report at item no 21 of this agenda

21. ORIGIN: Building Services Unit

FILE REF: DA02/0569 Pt1; 3220.410

REPORT TITLE:

Building Enclosure Below Council's Design Flood Level - Lot 5 DP 248042 10 McLeod Street, Condong

SUMMARY OF REPORT:

A development application has been received for additions and alterations to the existing fibro dwelling located at the above property.

The existing dwelling is located in a high hazard flood storage area and works to the proposed ground floor area contravenes Council's Development Control Plan No 5 – Development of Flood Liable Land, which generally limits enclosed areas below flood levels to 50m².

The proposed works include raising the dwelling approximately 700mm, constructing a timber verandah along the northern and eastern elevations and the creation of additional enclosed areas and rooms to the lower floor area.

RECOMMENDATION:

That Council invites the applicant to amend the proposal to comply with 50m² enclosure requirements of Development Control Plan No 5 and in the event that the applicant does not agree to amend the proposal that this application be refused as it will not conform with requirements of the Development Control Plan No 5.

Items Deferred

REPORT:

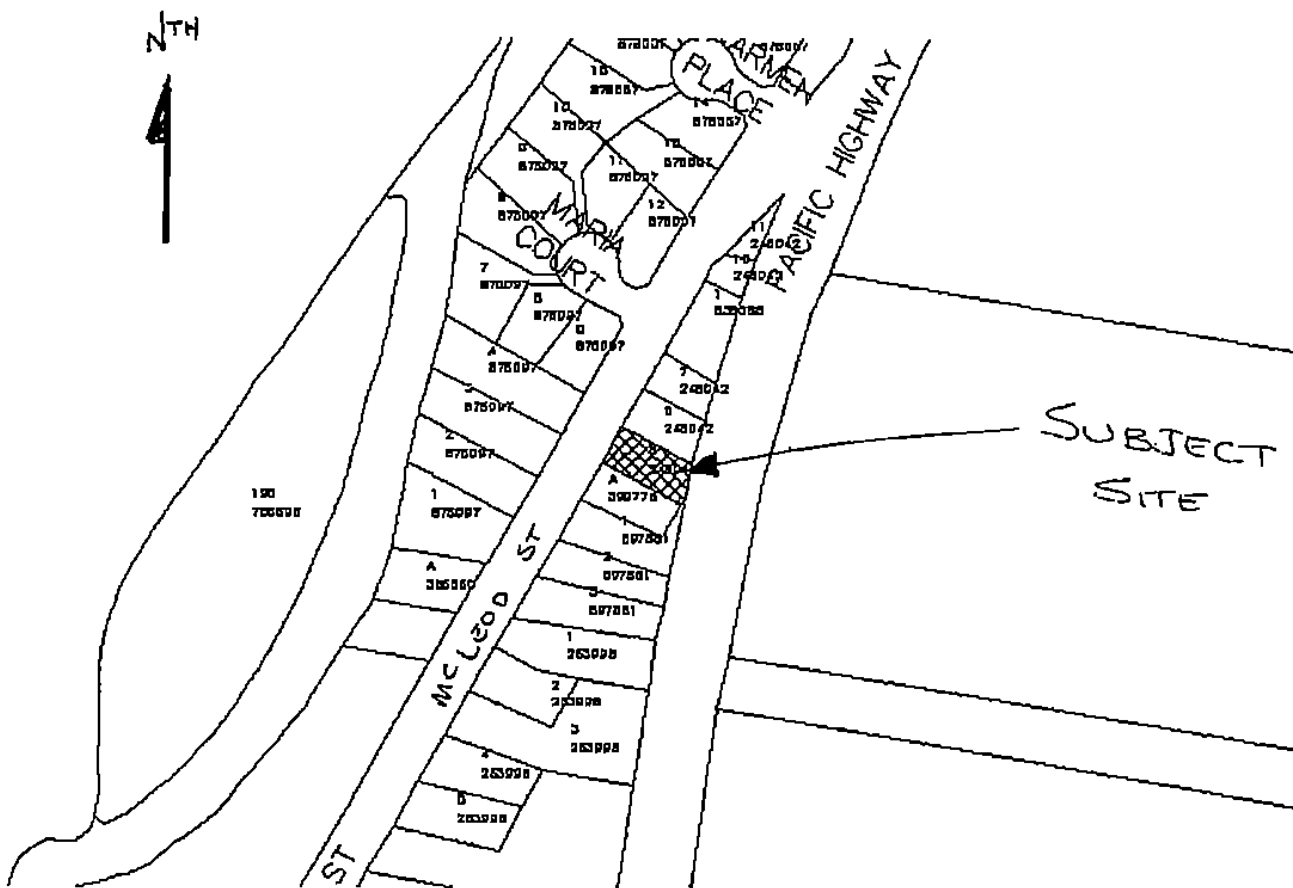
SITE

The subject site is located on the eastern side of McLeod Street and also has a frontage to the Pacific Highway.

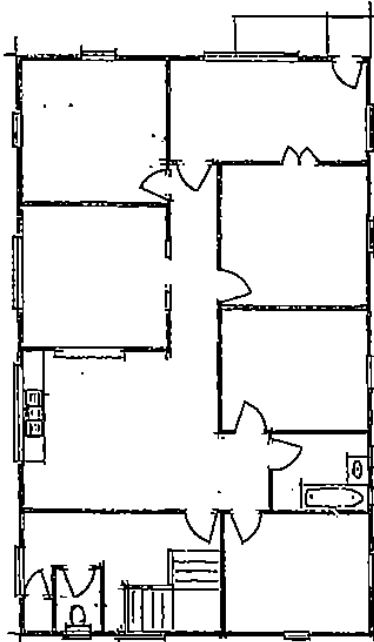
The site is defined as flood liable and a minimum floor level of RL 5.3 AHD is required for habitable floors.

The existing dwelling is timber frame, fibro clad with a metal roof, consists of two (2) levels and was constructed in 1956.

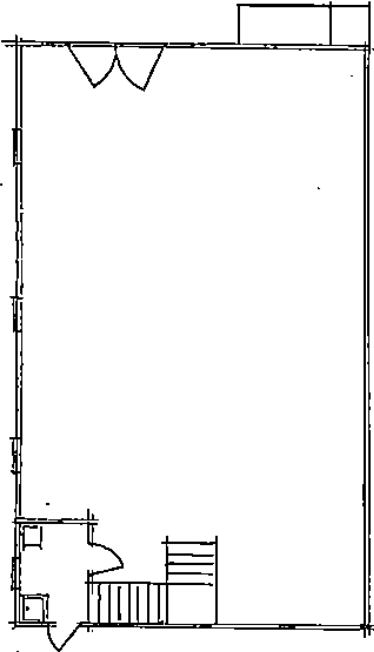
The land is zoned 2(a) Residential



Items Deferred



UPPER FLOOR



LOWER FLOOR

EXISTING FLOOR PLANS

| | | | | | | | |
|--|---|--------------|-----------------|---------------------------------|---------|--|--|
| SCALES PLAN ELEV. DATUM CONTOUR INT. | SKETCH SECTION DETAIL SURVEYED BY DRAWN | ISSUE No. | DATE 31.3.02 | SHEET No. No. OF SHEETS 1 | JOB No. | CLIENT P. J. SKENNAR PROJECT PROPOSED ALTERATIONS APARTMENTS 10 McLEOD ST. CONDONGI | R. D. HANBY & ASSOCIATES. 16 HILLSIDE DR. FAIRVIEW NSW 1400 PH. 01 66 63371 FAX. 01 66 63316 |
|--|---|--------------|-----------------|---------------------------------|---------|--|--|

Items Deferred

WEST ELEV. 1:100

EAST ELEV. 1:100

SITE PLAN 1:200

R D HANBY & ASSOCIATES.
 16 HILLSIDE DR. FAIRY HILL NSW 2470
 Ph. 01 66 63371 Fax. 01 66 63376

CLIENT: P & J SKELLYN
 PROJECT: PROPOSED ALTERATIONS & ADDITIONS
 10 McLEOD ST. CONDOING

| | |
|---------------|---------|
| ISSUE DATE | 31-5-02 |
| SHEET No. | 7 |
| No. OF SHEETS | 7 |
| TOD No. | 7 |

SKETCH SECTION: _____
 DETAIL: _____
 SURVEYED BY: _____
 DRAWN: _____

SCALES: _____
 PLAN: _____
 ELEV.: _____
 DATUM: _____
 CONTOUR INT.: _____

Items Deferred

SOUTH ELEVATION 1:100

NORTH ELEVATION 1:100

Masonry Block

Masonry Block

| | | | | | | |
|---|--|----------------------|---------------|---------------------------------------|-------------------|---|
| SCALES PLAN ELEV DATUM CONTOUR INT. | SKETCH SECTION DETAIL | SURVEYED BY DRAWN | ISSUE DATE | SHEET NO. NO. OF SHEETS 100 NO. | CLIENT PROJECT | R. D. HANBY & ASSOCIATES. 16 HILLSIDE DR. FAIRY HILL. NSW 2470 PH. 01 66 633371 FAX. 01 66 633376 |
| | F. & J. SANDERSON PROPOSED ALTERATIONS # APPLICANTS 10 McLEOD ST. CONDONG | | | | | |

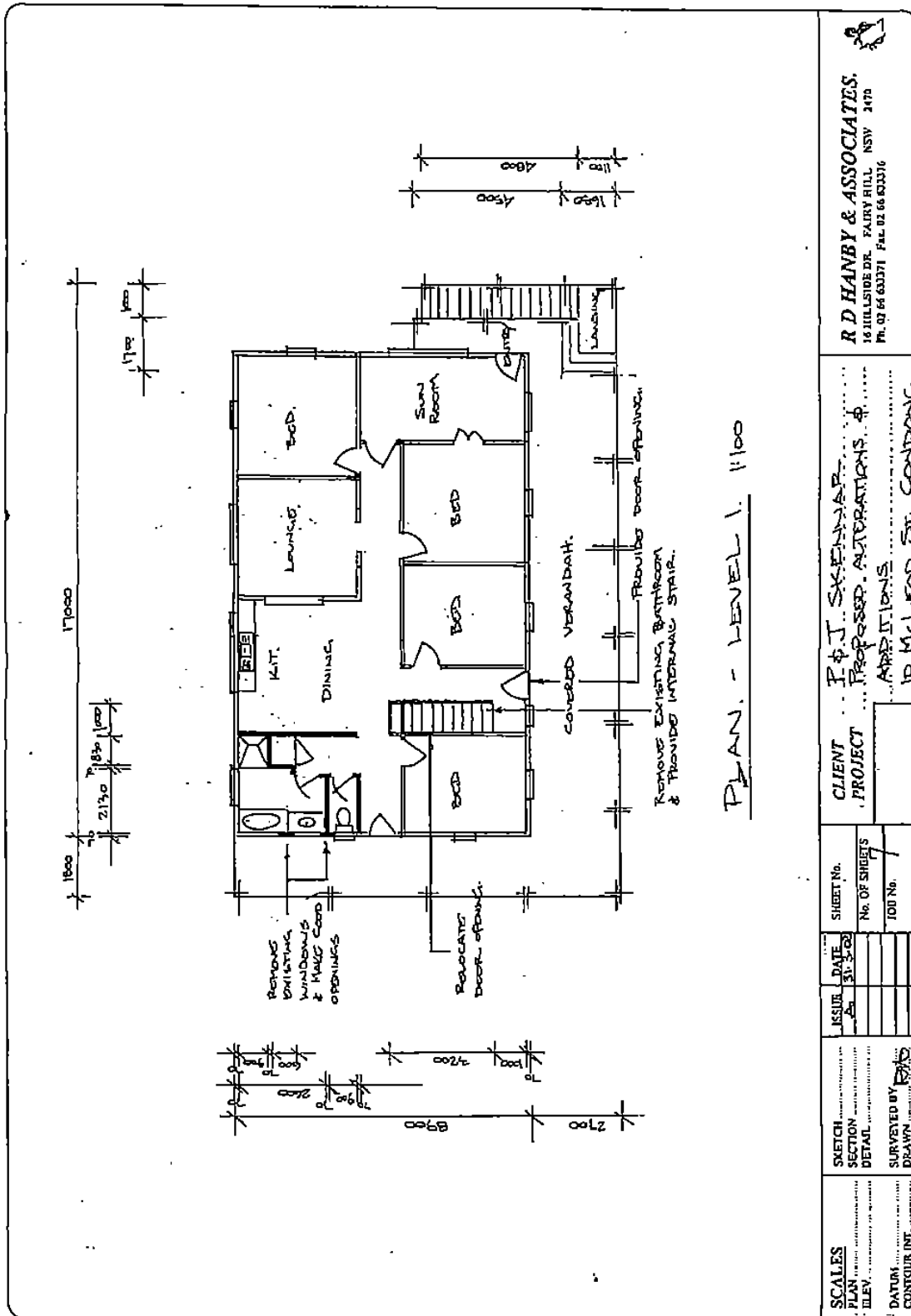
Items Deferred

AMENDED PLAN

PLAN - GROUND LEVEL 1:100

| | | | | |
|-----------------------|---------|---------------|----------------------------------|---|
| SCALES | DATE | SHEET No. | CLIENT | |
| PLAN | 31.3.02 | No. OF SHEETS | F & J. SKENNAR | R D HANBY & ASSOCIATES. 16 HILLSIDE DR. FAIRY HILL, NSW 2470 PH. 02 66 63371 FAX. 02 66 63376 |
| ELEV. | | 7 | PROPOSED ALTERATIONS & ADDITIONS | |
| DATUM | | JOB No. | 10 McLEOD ST. CONDONG. | |
| CONTOUR INT. | | | | |
| SKETCH SECTION DETAIL | ISSUE | | | |
| SURVEYED BY | A | | | |
| DRAWN | | | | |

Items Deferred



R D HANBY & ASSOCIATES.
 16 HILLSIDE DR. FAIRY HILL, NSW 2470.
 Ph. 02 64 63371 Fax. 02 66 82336

CLIENT: P. & J. SKENSIAR.
PROJECT: PROPOSED ALTERATIONS & ADDITIONS
 10 McLEOD ST. CUNDONG

| | |
|---------------|----------|
| ISSUE DATE | 21.07.02 |
| SHEET No. | 1 |
| No. OF SHEETS | 7 |
| DOI No. | 1 |

SKETCH SECTION

PLAN

ELEV.

DATUM

CONTOUR INT.

SURVEYED BY

DRAWN

Items Deferred



Items Deferred



REPORT

A Development Application has been submitted proposing alterations and additions to the existing dwelling which includes the raising of the dwelling by 700mm, creating additional rooms to the lower floor area, as well as the construction of a verandah to the northern and eastern elevations.

The existing lower floor area is enclosed on three (3) sides having timber frame walls with fibro cladding, the northern wall is clad with 100mm timber slats with a 20mm spacing.

The lower floor area is currently used as a car garage, for general storage and a laundry is located at the rear of the building.

The upper level contains four (4) bedrooms along with other habitable living areas and is proposed to be raised to a level of RL5.6 AHD (300mm above the minimum required RL of 5.3AHD).

The applicant has advised that the existing garage floor level is approximately RL 3.505.

Development Control Plan No 5 – Development of Flood Liable Land

The following excerpt is from Council's Development Control Plan (DCP) No 5, part 8.3 relating to development within the Murwillumbah/Tumbulgum and Condong areas:-

“Development The habitable areas of all residential buildings are to be at a level of not less than Council's adopted minimum floor level for development in each locality.

In those localities from and including South Murwillumbah to Condong and Tumbulgum the area below Council's design flood level is not to be

Items Deferred

totally enclosed. Consideration will be given on application, to permitting the enclosure of laundry, stairway entry and double garage space, provided that such an enclosure does not significantly restrict flood flows.

An area of 50m² will generally encompass these facilities. Any larger enclosures will only be considered when the application can demonstrate that the additional area enclosed will not provide any greater restriction to flood flow.

The free flow of flood water must be a major consideration in the design of any area to be enclosed.

The restriction of a total enclosed area below the design flood level of 50m² minimises the risk for potential loss and damage to property and contents when any enclosed area is inundated in times of flood.

The proposal has a total lower floor area of approximately 125m² with the dwelling located within a high hazard flood storage area which is well in excess of the 50m² limitation of DCP No 5.

Similar proposals have been placed before Council for determination in recent years, these applications were for properties at Fingal Head, and generally the same principles apply in this situation.

On those occasions the Building Services Unit requested advice from the then Manger of Council's Water Unit on the background, objectives and legal ramifications of DCP No 5.

This advice is reproduced as follows:-

"DCP No 5 embodies Council's floodplain management plan as developed and adopted after lengthy consultation and review. A major aim of the plan was to contain the increase in potential flood damage by limiting the potential for flood damage to new dwellings.

The area below flood level that may be enclosed was limited to 50m².

Desirably no area should be enclosed, however, it was accepted that in many areas it is impractical to raise garage areas and laundries. It was also accepted that security often required the enclosure of a stairwell/entry area. The area of 50sq metres is consistent with the current NSW Government Floodplain Development Manual and draft Floodplain Management Manual.

Approvals consistent with DCP 5 should provide Council with the indemnity available under the Local Government Act. Approvals contrary to DCP 5 potentially leave Council liable in the event of any future litigation.

This present application was referred to Council's Development Assessment Panel on 22 May 2002 where the Panel advised:-

"...the Development Assessment Panel considers that consent is not appropriate due to non-compliance with DCP No 5".

Council's Manager Water also provides the following advice.

"DCP 5 restricts enclosure of areas below the Flood Planning Level to a laundry, stairway entry, and double garage. This development clearly includes additional enclosed areas which when flooded will increase the potential for flood damage and the associated

Items Deferred

costs. One of the primary aims of DCP 5 and Floodplain Management is to reduce the annual cost of flood damage in New South Wales which is currently estimated at \$110m.

The current Floodplain Management Manual (January 2001) also requires consideration be given to the cumulative impacts of these developments.”

In reply to Council's initial advice to the applicant that the proposal was non-compliant with DCP No 5 the following submission was presented to Council:-

Items Deferred

R D HANBY & ASSOCIATES. *BUILDING DESIGNERS PROPERTY DEVELOPMENT PROJECT MANAGEMENT*

April 26th 2002

The General Manager
Tweed Shire Council
PO Box 816
MURWILLUMBAH 2484

Dear Sir,

Re: Proposed Alterations & Additions,
10 McLeod Street Condong.

Further to the concerns raised by Council staff in relation to the impact on flooding by the proposed alterations and additions at No. 10 McLeod Street, Condong the following detail is provided.

The Site

The land is located on the eastern side of McLeod Street in a fully developed residential area. The dwelling on the site was constructed in 1956. The structure consists of a timber frame, fibro clad and metal roof. The dwelling includes two levels providing four bedrooms and other habitable areas on the upper level. The ground level provides a laundry, storage area and garage space.

The southern, eastern and western walls of the building are fully enclosed with a timber stud wall and fibro cladding.

The northern wall consists of a timber frame. Cladding is provided with 100mm timber boards erected vertically with 20mm spacing between.

Full detail of the site, existing development and proposed works are included within the development application presented to Council.

Existing Levels

Field surveys have been undertaken to determine the floor and natural surface level within and adjacent to the existing dwelling. Levels were also taken on the garage floor of the dwelling opposite, kerb invert and upper floor level of the dwelling in question. Levelling had been based on State Survey Mark No 84709 located in the kerb approximately 60m north of the site. However discussions with staff of the Land Information Centre advised that due to the questionable accuracy of this mark, a reduced level could not be provided.

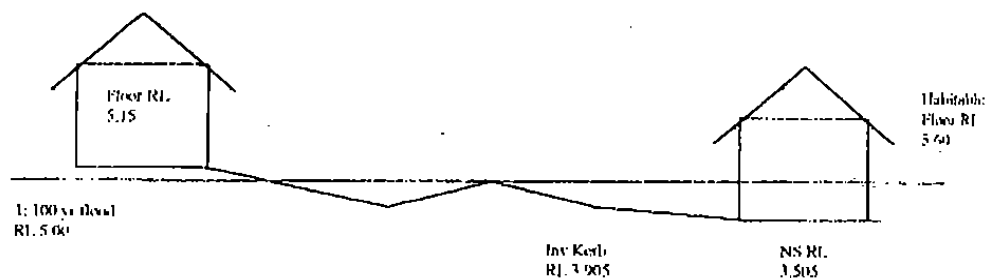
An assumed level has therefore been adopted following discussion with the owner of the dwelling opposite. It was tabled that the floor level of that dwelling is 150mm below Councils adopted minimum floor level for residential development (5.30 - 0.15 = 5.15).

16 HILLSIDE DR. FAIRY HILL NSW 2470 Ph. 02 666 33371 Fax. 02 666 33376

Items Deferred

The following table provides survey detail,

| Back Sight | Intermediate sight | Fore sight | Reduced level | Remarks |
|------------|--------------------|------------|---------------|--|
| 0.300 | | | 5.15 | Floor level of dwelling opposite (Assumed) |
| | 1.490 | | 3.960 | SSM 84709 |
| | 1.545 | | 3.905 | Invert of Kerb |
| | 1.945 | | 3.505 | NS @ garage floor (No.10) |
| | - 0.15 | | 5.60 | Habitable floor level (No.10) |
| | | 0.299 | 5.15 | Floor level of dwelling opposite (Assumed) |



The above detail indicates the depth of water in relation to the adopted flood level within the dwelling shall be 1.495m. As such the owners acknowledge the need to prohibit habitable development below this level. Amendments to the design floor plan provided by the owner now indicate the lower level to comprise of workshop, storage areas, laundry and amenities.

It is acknowledged that within the definition of "habitable area" areas for recreational purposes provided that any furnishings therein are of a moveable nature may be excluded. Any future use of the lower level shall comply with this requirement.

Council Standards.

Tweed Shire Council DCP No. 5

Part 8.3 of DCP5 refers to residential development on flood liable lands. In regard to development it is tabled that no habitable areas are to be located less than Councils adopted minimum floor level within various localities.

It is also tabled that the area below Councils design flood level not be totally enclosed. However consideration shall be given to larger areas when the application can demonstrate that the additional area enclosed will not provide and greater restriction to flood flow.

16 HILLSIDE DR. FAIRY HILL, NSW 2470 Ph. 02 666 33371 Fax. 02 666 33376

Items Deferred

Floodplain Development Manual, the management of flood liable land, 2001

When considering the impact of any development in flood liable land the prime concerns are considered to be,

- the impact of the development on the flood plain
- the impact of the development on the flood characteristics on adjoining properties, and
- the potential danger to personal safety

The following information tables the requirements of the manual should the land be considered flood prone.

Hydraulic Hazard Categories

All tables indicating the development guidelines within the manual table development consideration 4a. and in most cases 1. These table,

1. Any portion of a building or structure subjected to inundation should be built of flood compatible materials.
- 4a. The flood policy exempts minor development and additions from special controls

It is not supported that no special controls be placed on flood affected buildings however it does indicate the minor nature of impact.

Flow Characteristics

When flood events occur, waters flow from the broader catchment of the Tweed Valley to the south. As such proposed alterations are located within the shadow of existing development. Many dwellings, fully enclosed or on filling provide a buffer to flood water velocity ensuring only the effects of inundation are of concern. The existing walls facing south, east and west are fully clad with fibro sheeting and have shown no sign of structural damage as a result of flood flow. Some indication as to damage as a result of inundation however can be identified.

Flood Levels

The proposed additions are considered extremely minor. It would appear the major issue raised is for construction material of the northern wall. The existing slatted cladding is proposed to be replaced by masonry block along with the other three elevations.

It is considered that the change in structure shall have an impact so minor on flooding it cannot be measured. The construction shall not be detrimental to the flow characteristics of a flood as it is located on the downstream side of the structure. Any concern for the displacement of waters is not considered as the wall alone will not prevent the inundation of waters to the lower level. Future improvements shall ensure the garage floor shall also drain to the opening to remove any existing ponding problems at this level.

16 HILLSIDE DR. FAIRY HILL, NSW 2470 Ph. 02 666 33371 Fax. 02 666 33376

Items Deferred

Structural Characteristics

The proposed alterations shall remove the aging lower level frame work. This shall be undertaken with the provision of masonry blocks and universal beams to support the existing dwelling above.

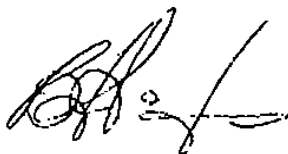
Existing construction materials are not seen as flood compatible and some indication of fatigue are evident. The proposed alterations incorporating flood compatible materials shall ensure the structural integrity of the building is maintained

Conclusion.

It is considered that the proposed alterations and additions to No.10 McLeod Street Condong, comply with the minimum standards tabled within Councils DCP 5. In making this conclusion the following points are tabled,

- The construction techniques to be undertaken on the lower level is the upgrading of an existing fully enclosed area and as such are not seen as not changing the existing development nor being detrimental to flood characteristics.
- The dwelling is located within the shadow of existing development and not subject to the effects of flood velocity or debris
- The three walls facing the direction of flood flow are considered fully impervious. The remaining wall is facing downstream and constructed using a slatted building technique. Replacement of this wall with masonry is considered extremely minor. It should be noted the impact is restricted to a height of 1.494m for a length of 15m.
- The alterations shall provide a more flood compatible structure.
- The proposal addresses Councils strategy to minimise future potential flood damage both by structural protection and by planning controls.

It is therefore considered that the proposed alterations and shall not affect the flooding characteristics of the floodplain nor will it endanger the safety of the occupants and as such should gain favourable consideration from Council.



R D Hanby

16 HILLSIDE DR. FAIRY HILL, NSW 2470 Ph. 02 666 33371 Fax. 02 666 33376

Items Deferred

CONCLUSION

Although it may be argued that the existing lower floor area, which is enclosed on three (3) sides with fibro cladding and timber slats on the fourth side, does provide an existing enclosed area of approximately 125m², it is considered that the proposed works should conform with the current requirements of DCP 5.

The dwelling was constructed prior to the introduction of DCP 5 and considering the extent and scope of works proposed, compliance with the DCP as it stands today, is not considered unreasonable.

It is acknowledged that the proposed works are unlikely to affect the flood flow characteristics of the locality, due to the fact that three (3) sides of the lower floor area are already solid walls, however, the potential for damage to property and contents must be considered when assessing such applications.

The options available to Council are:-

1. Approve the application as submitted, allowing total enclosure of the lower floor area, which has an area of approximately 125m² below the design 1:100 flood level of RL5.3 AHD.
 2. Refuse the application on the grounds of its non-compliance with Council's Development Control Plan No 5 – Development of Flood Liable Land.
 3. Invite the applicant to submit an amended plan complying with the 50m² enclosure requirements of DCP No 5.
 4. Approve the application as submitted subject to a full Hydraulic Engineers' Report certifying that the proposed additions and alterations will not significantly restrict flood flows.
-

Reports from Director Development Services

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

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

MATTERS FOR CONSIDERATION

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

Reports from Director Development Services

THIS
PAGE
PAGE
IS
BLANK
IS
BLANK

Reports from Director Development Services

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

FILE REF: GT1/DCP/3 Pt8; DCP; Sewerage Treatment - Banora Pt

REPORT TITLE:

Sewerage Treatment Plant Buffer – Banora Point

SUMMARY OF REPORT:

Council has received a request from Darryl Anderson Consulting to review the sewerage treatment plant buffer surrounding the Banora Point Plant. The buffer is contained in the Developer Contribution Plan for Tweed Heads South/Banora Point West (DCP3). A variation is sought to the buffer requirements at Expo Park.

Buffering sewerage treatment plants has two main purposes. Firstly, it is used to minimise any potential or perceived hazards. Secondly, it is used to safeguard the use of an important public facility.

Darryl Anderson Consulting highlights inconsistencies between DCP 3 and DCP 9 – West Kingscliff. Whilst the policies are worded differently, the intent of both is consistent: control the use of land closest to the Works to minimise any permanent occupation. Whichever policy format is followed it is still for Council to determine, in respect of a Development Applications, what are the appropriate buffer uses. There is a need for consistency in the presentation of controls in buffer areas.

Whilst the policy presentation in DCP 9 and for the Tweed Heads Sewerage Treatment Plan provides flexibility there should, nevertheless, be a clear onus on developers to mitigate against any adverse impacts.

RECOMMENDATION:

That :-

1. Council endorses a draft amendment to Section 6.2(1) of Development Control Plan No 3 (Banora Point West – Tweed Heads South) as follows: -

“Development within Sewerage Treatment Works Buffer

The objectives of this policy are:

1. *To permit the development of the land while reducing risks to the health of employees of industrial development.*
2. *To prevent any intensification of residential development in the buffer zone.*
3. *To ensure the continued use of an essential community facility is not jeopardized.*

No additional dwellings will be permitted within the established buffer area for the Treatment Works.

Industrial development within the buffer area is to be designed so that uses not requiring permanent or prolonged work station occupation (such as parking, open air storage) will be at that part of the lot closest to the Treatment Works. Open air ventilation of all buildings must be from the opposite side to the Works, and air conditioning must be provided in any commercial or office component of the building.

Reports from Director Development Services

In respect of buildings for the processing and storage of foodstuffs or other materials likely to be contaminated or tainted by exposure to airborne odours, Council will require a formal statement from a suitably qualified consultant that there are no adverse public health impacts arising from the location of the building within the nominated buffer area”.

2. The draft amendment to Development Control Plan No. 3, be placed on public exhibition for 28 days.

Reports from Director Development Services

REPORT:

INTRODUCTION

Darryl Anderson Consulting has made a submission seeking Council to review the sewerage treatment plant buffer surrounding the Banora Point Plant. The buffer is contained in DCP 3 (Tweed Heads South/Banora Point West). A variation is sought to the buffer requirements at Expo Park.

This report:

- details the variation sought;
- examines the consistency of buffer requirements around Council's Sewerage Treatment Plants;
- recommends a course of action.

SUBMISSION TO VARY COUNCIL'S BUFFER REQUIREMENT

Section 6.2(I) of DCP 3 provides as follows:

"No development is permitted within 200 metres from the current and proposed primary and secondary process units within the Banora Point Sewerage Treatment Plant except for uses of an open air nature (eg. car parking, storage) or those uses not requiring permanent or prolonged work station occupation.

Between 200 to 400 metres from the current and proposed primary and secondary process units within the Banora Point Sewerage Treatment Plant all development must be designed with ventilation emanating from the eastern side and all office/retail components of the building to be air-conditioned.

To ensure compliance with the Sewerage Treatment Plant Buffers any subdivision development consent will contain a condition requiring registration of a restriction as to user under Section 88B of the Conveyancing Act stipulating the above requirements."

Darryl Anderson Consulting has stated that (refer to annexure 1 for a copy of DP 1004490 and appropriate S88B instrument):

"The provision of Development Control Plan No 3 in relation to sewerage treatment works buffers are given affect by a restriction on use which burdens various lots, as shown on the attached copy of DP 1004490. The restriction on use was created upon registration of DP 817783 and is in the following terms;

"That no structure of a permanent nature (other than boundary fencing) or such buildings as maybe approved by Tweed Shire Council shall be erected on any part of the land west of the line marked "O" on the deposited plan".

DP 1004490 is the current plan of subdivision in respect of the land and as indicated on the attached copy the restriction significantly burdens lot 421. Lots 422 and lot 111 in DP 817783 and lot 412 and 413 in DP 859933 are also burdened by the restriction.

The restriction has the effect of rendering lots 421 in particular incapable of any viable economic development because of the extent and terms of the restriction and the Development Control Plan No. 3 provisions.

Reports from Director Development Services

Proposed Development Control Plan No. 3 Amendment

No change to the current 4(a) industrial zoning of the land affected by the buffer is proposed or required to facilitate the proposed Development Control Plan No. 3 amendment. Clause 45 of the North Coast Regional Environmental Plan only applies where Council is preparing a Local Environmental Plan and therefore an amendment to Development Control Plan No. 3 would not be inconsistent with the REP.

The amendment sought is simply to achieve consistency both in terms of Tweed Shire Council requirements and North Coast Regional Environmental Plan with the provisions of Development Control Plan No. 9 in respect of the Kingscliff Sewerage Treatment works and to provide greater flexibility such that feasible economic development of lot 421 in particular, in accordance with its current zoning can be achieved.

Council is therefore requested to amend Development Control Plan No. 3 by deleting existing Clause 6.2(1) and inserting the following new clause;

“The objective of this section are;

- 1. To permit industrial development of the land.*
- 2. To prevent any intensification of any residential development in the buffer zone.*

The buffer area has a radius of 400m from the primary and secondary process units of the Banora Point Sewerage Treatment works.

No additional dwellings will be permitted within the buffer area.

Industrial development within the buffer area is to be designed so that uses not requiring permanent or prolonged work station occupation (such as parking, open air storage) will be at that part of the lot closest to the treatment works. Open air ventilation of all buildings is to be from the northern side, and air conditioning will be required in any commercial or office component of the building”.

BACKGROUND

Buffering sewerage treatment plants has two main purposes. Firstly, it is used to minimise any potential or perceived hazards. Secondly, it is used to safeguard the existing use rights of an important public facility.

The North Coast Regional Environmental Plan (NCREP) outlines particular buffer distances from particular environmental hazards in Clause 45, as follows:

“45 Plan preparation—hazards

(1) A draft local environmental plan should not permit development for tourism, rural housing or urban purposes on land subject to the following hazards, namely:

- (f) air or water pollution, or airborne pollution, within 400 metres of sewerage treatment works,*

unless the council has made an assessment of the extent of the hazard and included provisions in the plan to minimise adverse impact.”

Whilst this requirement applies only to the preparation of a Draft LEP, it has significance as a potentially general standard. Land for urban purposes is not defined but could be taken to include industrial, commercial and retail development as well as residential.

The following advice has been received from planningNSW:

Reports from Director Development Services

“Thank you for your letter of 6 March 2002 seeking advice on the status and intent of clause 45(1)(f) of the North Coast Regional Environmental Plan (REP). As you are aware, the cause identifies that a local environmental plan should not permit development for tourism, rural housing or urban purposes on land subject to air or water pollution or airborne pollution, within 400 metres of sewerage treatment works.

I agree with your consideration that clause 45(1)(f) of the REP relates strictly to local environmental plans. In terms of the relationship between the REP provision and Council’s development control plans, I am unable to offer specific advice. Council should seek its own legal advice on the implementation and the effect of the DCP provisions.

Council may wish to consider incorporating the 400m buffer (as a minimum) between sewerage treatment works and those uses identified within clause 45(1)(f), as a means of reinforcing the REP and any relevant local environmental plan provisions. The Department would support the Council in this approach”.

Buffers around Council Sewerage Treatment Plans are expressed in a variety of ways, as follows:

Tweed Heads in the Residential Development Strategy a 308m buffer around the primary and secondary treatment areas.

Banora Point contained in DCP 3 as already detailed.

Kingscliff the following provisions are included in DCP 9 (West Kingscliff):

“Development within Sewerage Treatment Works Buffer

The objectives of this section are:

- 1. To permit the development of the land while reducing risks to the health of employees of industrial development.*
- 2. To prevent any intensification of residential development in the buffer zone.*

The buffer area has a radius of 360m from the ultimate boundary of the Kingscliff Treatment Works.

No additional dwellings will be permitted within the buffer area.

Industrial development within the buffer area is to be designed so that uses not requiring permanent or prolonged work station occupation (such as parking, open air storage) will be at that part of the lot closest to the Treatment Works. Open air ventilation of all buildings is to be from the northern side, and airconditioning will be required in any commercial or office component of the building”.

There are no defined buffers for the Murwillumbah, Hastings Point, Tyalgum, Tumbulgum and Uki plants.

The defined boundaries appear to be based on “*Buffer Zone Determination for Sewerage Treatment Plants*”, produced by Council’s Engineering Division prior to June 1988. It is not clear if this was adopted as Council Policy, although it is specifically referred to in:

- Council report June 1989, Tweed Heads Planning Study – Background to DCP3.
- Residential development Strategy, adopted in 1992.

It has been applied to DCP 9 (360m) and Tweed Heads West (without specific Policy), but has been applied consistency on specific Development Applications over a 15+ year period.

Reports from Director Development Services

THE INCONSISTENCIES

Darryl Anderson Consulting highlights inconsistencies between DCP 3 and DCP 9, which are addressed below.

Each of the nominated buffer requirements is attempting to safeguard against impacts which defy objective assessment (smell) or for which there is no body of scientific knowledge (aerosols). Although, the policy framework will always be difficult to implement it must be acknowledged at the outset that some form of buffering is necessary.

The inconsistency highlighted by Darryl Anderson Consulting concerns the degree of control to be imposed by Council. DCP 3 specifically prohibits all development within 200m of process units except uses of an "open air nature". DCP 9 prohibits dwellings within the buffer area, but encourages "open air" development to be located closest to the Treatment Works. Thus, whilst the policies are worded differently, the intent of both is consistent: control the use of land closest to the Works to minimise any permanent occupation. Whichever policy format is followed it is still for Council to determine, in respect of a Development Application, what is the appropriate buffer uses.

REVIEW OF BUFFERS

The issue of buffers was recently considered in respect of the Tweed Heads West Sewerage Treatment Works and the Review of potential industrial land within the locality. The report to Council on 20 February 2002 identified these same issues, and concluded that:

"Industrial development within the buffer area is to be designed so that uses not requiring permanent or prolonged work station occupation (such as parking, open air storage) will be at that part of the lot closest to the Sewerage Treatment Works. Open air ventilation of all buildings is to be from the opposite side facing the Sewerage Treatment Works, and air conditioning shall be required in any commercial or office component of the building.

Unless the developer can prove to Council's satisfaction that sufficient mitigation from the adverse impacts of airborne odours on the nature of the activities and on the persons engaged in those activities within the buffer area the following activities are not preferred.

Processing and storage of foodstuffs or other materials likely to be contaminated or tainted by exposure to airborne odours.

The employment of persons in those or any other activities on the land".

The Director of Development Services has also drafted a draft DCP (Buffers) which has not been reported to Council. The aim of the draft was to detail controls for buffering between incompatible land uses, including Sewerage Treatment Plants. The draft report was withheld pending the outcome of a Department of Urban Affairs & Planning investigation into buffers for Sewerage Treatment Plants which has never been completed.

CONCLUSIONS

It is accepted that there is a case for amending the relevant provisions in DCP3 as follows:

"Development within Sewerage Treatment Works Buffer

The objectives of this policy are:

- 1. To permit the development of the land while reducing risks to the health of employees of industrial development.*
- 2. To prevent any intensification of residential development in the buffer zone.*

Reports from Director Development Services

3. *To ensure the continued use of an essential community facility is not jeopardized. No additional dwellings will be permitted within the established buffer area for the Treatment Works.*

Industrial development within the buffer area is to be designed so that uses not requiring permanent or prolonged work station occupation (such as parking, open air storage) will be at that part of the lot closest to the Treatment Works. Open air ventilation of all buildings must be from the opposite side to the Works, and air conditioning must be provided in any commercial or office component of the building.

In respect of buildings for the processing and storage of foodstuffs or other materials likely to be contaminated or tainted by exposure to airborne odours, Council will require advice from a suitably qualified consultant that there are no adverse public health impacts arising from the location of the building within the nominated buffer area”.

Reports from Director Development Services

THIS
PAGE
THIS
PAGE
IS
BLANK
IS
BLANK

Reports from Director Development Services

2. ORIGIN: Development Assessment Unit

FILE REF: GS4/98/21 Pt3; Subdivision Application Correspondence; Agreements

REPORT TITLE:

Assignment of Rights under the Deed of Agreement from Robert Andrew Byrne and Robert Phillip Byrne to Kentdell Pty Ltd

SUMMARY OF REPORT:

At its meeting on 1 September 1999, Council resolved to execute under the Common Seal of Council, the Deed of Agreement between Council and Robert Andrew Byrne and Robert Phillip Byrne in relation to an 8 lot community title subdivision of Lot 8 DP 776309 Highfields/Walmsleys Road, Bilambil Heights.

The Deed effectively secured the payment of monetary contributions for Community Facilities, Structured Open space and Casual Open Space, as the land was not subject to a Contribution Plan pursuant to Section 94 of the Environmental Planning and Assessment Act.

Kentdell Pty Ltd are now contracted to purchase the subject property and therefore an assignment of rights under the Deed of Agreement from Robert Andrew Byrne and Robert Phillip Byrne to Kentdell Pty Ltd is required. This assignment of rights has necessitated the preparation of a new Deed between Council and Kentdell Pty Ltd.

The new Deed of Agreement has been assessed against the original Deed and is found to be satisfactory.

RECOMMENDATION:

That the Deed of Agreement between Council and Kentdell Pty Ltd be executed under the Common Seal of Council.

Reports from Director Development Services

REPORT:

As per summary.

Reports from Director Development Services

3. ORIGIN: Development Assessment Unit

FILE REF: DA1180/425 Pt1; 1180.425

REPORT TITLE:

Development Application 0689/2000DA - Storage and Launching Facility for Tweed Coast Sea Rescue Squad at Lot 7018 DP 755701 Coast Road, Hastings Point

SUMMARY OF REPORT:

Tweed Coast Sea Rescue Incorporated has proposed to construct a boat shed on land adjoining Cudgera Creek, Hastings Point for the purpose of storing an emergency sea rescue boat. Access to the site is via Peninsula Street which also serves a number of residential buildings and provides access to the beach at North Hastings Point. The street ends in an unformed cul-de-sac and is utilised by the public for parking of vehicles and as an emergency access to the beach. The proposal requires a permit from NSW Fisheries to remove mangroves.

The Rescue organisation at present store the boat in a shed near the Pottsville Bowls Club which presents operational problems in getting the boat into the water during emergencies. The need to locate the boat in a suitable facility on or near the water is recognised, however the proposed site of the Boat Shed is constrained by it's physical and natural attributes which prevent it from being a suitable location.

No provision can be made for car parking on-site, and the driveway access is difficult or impossible to negotiate, with a car and trailer. Further the applicant has failed to demonstrate how public access along the foreshore can be maintained, while the creek itself is narrow, shallow and provides a playground for a variety of recreational activities. This makes Cudgera Creek a challenge to negotiate at the best of times, and presents a hazard to the public and a liability risk to the rescue organisation itself. Finally NSW Fisheries have refused to issue their general terms of approval under the Fisheries Management Act 1994 and as such Council cannot issue development consent to the proposal under the Environmental Planning and Assessment Act 1979. In conclusion it is recommended the development application be refused for the reasons listed below.

RECOMMENDATION:

That Development Application 0689/2000DA for storage & launching facility for Tweed Coast Sea Rescue Squad at Lot 7018 DP 755701, Coast Road, Hastings Point, be refused for the following reasons

1. Pursuant to Section 91A(4) of the Environmental Planning and Assessment Act 1994, NSW Fisheries will not issue an approval under the Fisheries Management Act 1994.
2. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposal is inconsistent with the objectives of the 6(a) Open Space Zone in Tweed Local Environmental Plan 2000.
3. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the Proposal is inconsistent with the provisions of Clause 32B of the North Coast Regional Environmental Plan 1988.
4. Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposal does not comply with the provisions of Development Control Plan No. 2 Site Access and Parking Code

Reports from Director Development Services

5. Pursuant to Section 79C(1)(c) of the Environmental Planning and Assessment Act 1979, the site is unsuitable for the proposed development.
6. Pursuant to Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, the development is not in the public interest.

Reports from Director Development Services

REPORT:

Applicant: Mr Roger McLeod

Owner: Tweed Shire Council

Location: Lot 7018 DP 755701, Coast Road Hastings Point

Zoning: 6(a) Open Space

Cost: \$30000

BACKGROUND

Tweed Coast Sea Rescue Incorporated has proposed to construct a boat shed on land adjoining Cudgera Creek, Hastings Point for the purpose of storing an emergency sea rescue boat. Access to the site is via Peninsula Street which also serves a number of residential buildings and provides access to the beach at North Hastings Point. The street ends in an unformed cul-de-sac and is utilised by the public for parking of vehicles and an emergency access to the beach.

The proposed boat shed would require the removal of mangroves and being within 40 meters of a waterway the development was forwarded to NSW Fisheries and DLWC as integrated development. DLWC have subsequently advised that the development does not need to obtain a permit under Part 3A of the Rivers and Foreshores Act 1948. NSW Fisheries have advised that they do not support the proposal and have refused to issue there general terms of approval.

The Rescue organisation at present store the boat in a shed near the Pottsville Bowls Club which presents operational problems in getting the boat into the water during emergencies. The applicant wish to locate the boat in a suitable facility on the water to enable them to provide a more efficient services.

Reports from Director Development Services

SITE DIAGRAM

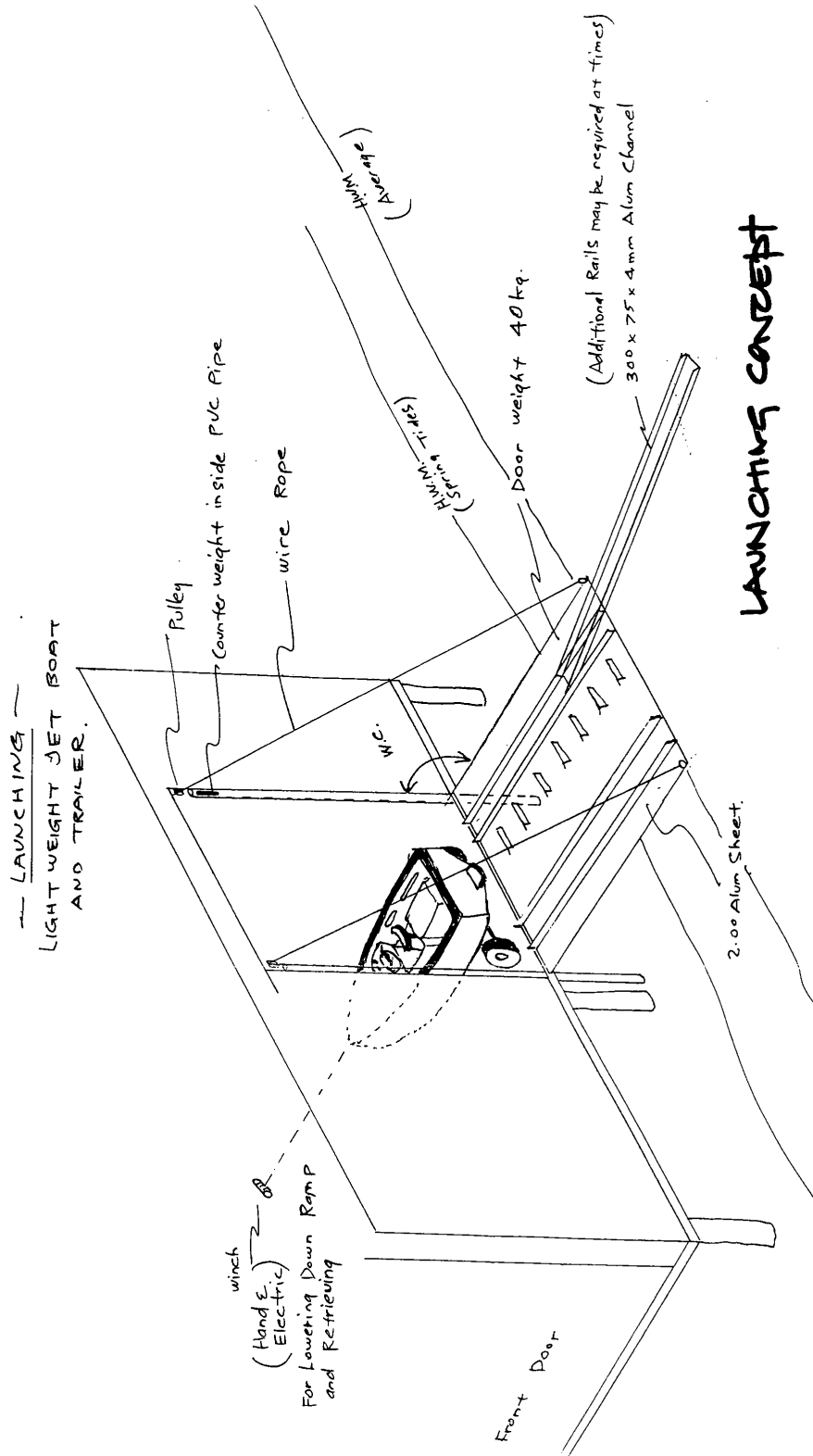


| | | | |
|--|---|--|---|
| <p>© TWEED SHIRE COUNCIL, 2002 Although all care has been taken with the production of this map, the TWEED SHIRE COUNCIL, its Employees, Officers and Consultants can not be responsible for any Errors, Omissions or Inaccuracies in respect to the information supplied on this map. DO NOT SCALE COPY ONLY - NOT CERTIFIED P.O. Box 916 Murwillumbah NSW 2484 Tel: 03 6673 2809 Fax: 03 6673 7281</p> | <p>TWEED SHIRE COUNCIL Lot 7018 DP 755701 Coast Road, Hastings Point</p> <p>File: N:\Wap\hro 6... \Site Plan.Wor Author: J.Batchelor Date: 24/Jun/02</p> | <p>STRATEGIC PLANNING UNIT  TWEED SHIRE COUNCIL</p> | <p>Site Plan Sheet 1 of 1</p> <p>Revised</p> |
|--|---|--|---|

Reports from Director Development Services

CONCEPT PLAN

TWEED COAST SEA RESCUE SQUAD.
STORAGE & LAUNCHING FACILITY.
DA 1180/425 PT1 0689/2000 DA.



LAUNCHING CONCEPT

P112 AUGUST 2000.

Reports from Director Development Services

ELEVATION PLANS

| <p>FILE NAME: P112-W002 PATH: _____</p> <p>REF NAME: _____</p> <p>NOTES: _____</p> | <p>ELEVATIONS</p> <p>1. THESE DWGS ARE TO BE READ IN CONJUNCTION WITH GLEN PETERSEN ARCHITECT DWG NOS. P112-W000 ARCHITECT DWG NOS. P112-W000, P112-W001, P112-W002, P112-W003</p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">DATE</th> <th style="width: 55%;">DEVELOPMENT APPLICATION DESCRIPTION</th> <th style="width: 30%;">ISSUE NO.</th> </tr> <tr> <td>02.06.99</td> <td></td> <td>A</td> </tr> </table> | DATE | DEVELOPMENT APPLICATION DESCRIPTION | ISSUE NO. | 02.06.99 | | A |
|--|---|--|------|-------------------------------------|-----------|----------|--|---|
| DATE | DEVELOPMENT APPLICATION DESCRIPTION | ISSUE NO. | | | | | | |
| 02.06.99 | | A | | | | | | |

NORTH WEST ELEVATION

SOUTH EAST ELEVATION

NORTH EAST ELEVATION

SOUTH WEST ELEVATION

CLIENT APPROVAL

| SCALE | APPROVED | DATE |
|----------|-------------|----------|
| 1:200 | | 07-06-99 |
| DESIGNED | DRAWING NO. | SHEET |
| | P112-W003 | |
| FILED | REVISION | A |
| | | |

CLIENT
TWEED COAST SEA RESCUE

JOB TITLE
PROPOSED BOAT SHED

DRAWING TITLE
ELEVATIONS

CLERK OF WORKS
GLEN PETERSEN ARCHITECT PTY. LTD. APPROVAL

CLIENT APPROVAL

| SCALE | APPROVED | DATE |
|----------|-------------|----------|
| 1:200 | | 07-06-99 |
| DESIGNED | DRAWING NO. | SHEET |
| | P112-W003 | |
| FILED | REVISION | A |
| | | |

THIS DRAWING IS THE COPYRIGHT OF GLEN PETERSEN ARCHITECT PTY. LTD. 19 0 99


Reports from Director Development Services

| | | | |
|-----------|-----------|------|--|
| FILE NAME | P112-WD02 | PATH | |
| XREF NAME | | | |

NOTES

1. ALL CONSTRUCTION TO BE STRICTLY IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA
2. FIGURED DIMENSIONS TAKE PRECEDENCE TO SCALED DIMENSIONS.
3. THESE DWGS ARE TO BE READ IN CONJUNCTION WITH GLEN PETERSEN ARCHITECT DWG NO'S. P112- WD00 ARCHITECT DWG NO'S. P112- WD00 P112- WDM, P112-WD002, P112- WD03
4. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO SETOUT. INSTRUCTION FROM ARCHITECT IS TO BE SOUGHT IF CLARIFICATION IS REQUIRED.
5. REMOVABLE HINGES ARE TO BE PROVIDED TO ALL DOORS CONTAINING A W.C. IF THE SWING DIRECTION OF THE DOOR IS INTO THE ROOM

| | | | | | |
|------|----------|-------------------------|---|-----------|---|
| DATE | 02.06.99 | DEVELOPMENT APPLICATION | A | ISSUE NO. | 1 |
| | | DESCRIPTION | | | |



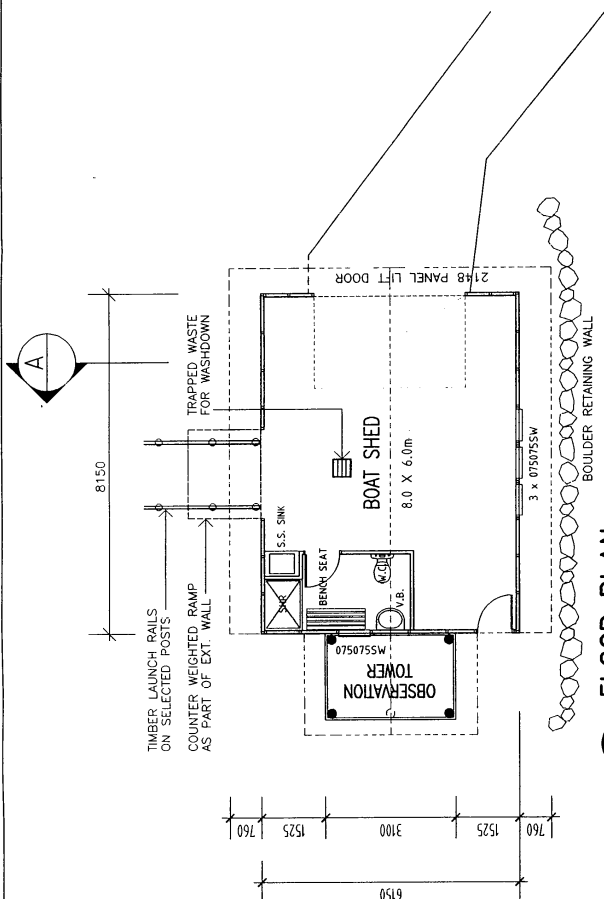
GLEN PETERSEN ARCHITECT
PTY. LTD.

101 PYS PAVE
22/11 LABORATORY DRIVE
TWEED HEADS SOUTH, QLD
PHONE 6447 7231

| | |
|-----------|------------------------|
| CLIENT | TWEED COAST SEA RESCUE |
| JOB TITLE | PROPOSED BOAT SHED |

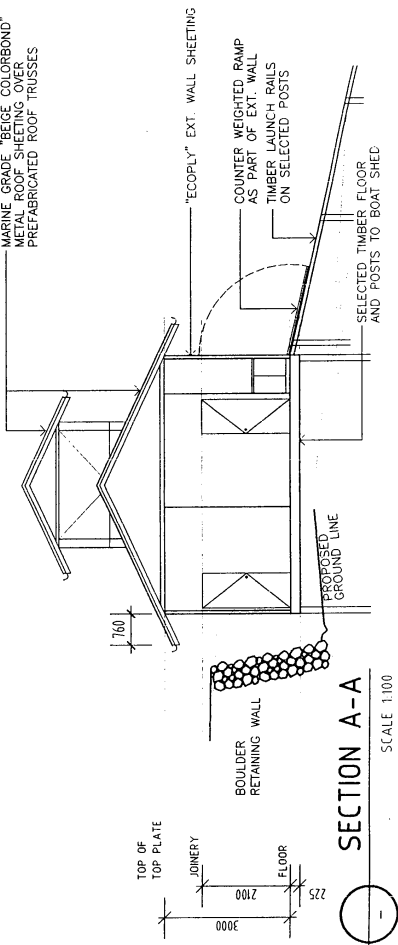
| | |
|---------------|----------------------|
| DRAWING TITLE | FLOOR PLAN & SECTION |
|---------------|----------------------|

| | |
|--|-----------|
| GLEN PETERSEN ARCHITECT PTY. LTD. APPROVAL | |
| CLIENT APPROVAL | DATE |
| SCALE | 1:100 |
| DESIGNED | 01-10-99 |
| DRAWN | P112-WD02 |
| CHECKED | |
| REVISION | |



FLOOR PLAN
SCALE 1:100

Labels: BOAT SHED (8.0 X 6.0m), OBSERVATION TOWER, BOULDER RETAINING WALL, TRAPPED WASTE FOR WASHDOWN, S.S. SINK, BENCH SEAT, W.C., 2148 PANEL LIFT DOOR, 3 x 073075SW, JOINERY, TOP OF TOP PLATE, FLOOR, 225, 2100, 3000, 760, 1525, 3100, 1525, 760, 6150, 81150, TIMBER LAUNCH RAILS ON SELECTED POSTS, COUNTER WEIGHTED RAMP AS PART OF EXT. WALL, BOULDER RETAINING WALL, "ECOPLY" EXT. WALL SHEETING, MARINE GRADE "BEIGE COLORBOND" METAL ROOF SHEETING OVER PREFABRICATED ROOF TRUSSES, COUNTER WEIGHTED RAMP AS PART OF EXT. WALL, TIMBER LAUNCH RAILS ON SELECTED POSTS, SELECTED TIMBER FLOOR AND POSTS TO BOAT SHED, PROPOSED GROUND LINE.



SECTION A-A
SCALE 1:100

THIS DRAWING IS THE COPYRIGHT OF GLEN PETERSEN ARCHITECT PTY. LTD. P. © 99

Reports from Director Development Services

| | | |
|-----------|-----------|------|
| FILE NAME | P112-WD00 | PATH |
| REF NAME | | PATH |
| NOTES | | |

| | | | | | |
|------|----------|-------------|---------------------------|-----------|---|
| DATE | 02.06.99 | DESCRIPTION | DEVELOPMENT APPLICATION A | ISSUE NO. | A |
|------|----------|-------------|---------------------------|-----------|---|



GLEN PETERSEN ARCHITECT
PTY LTD

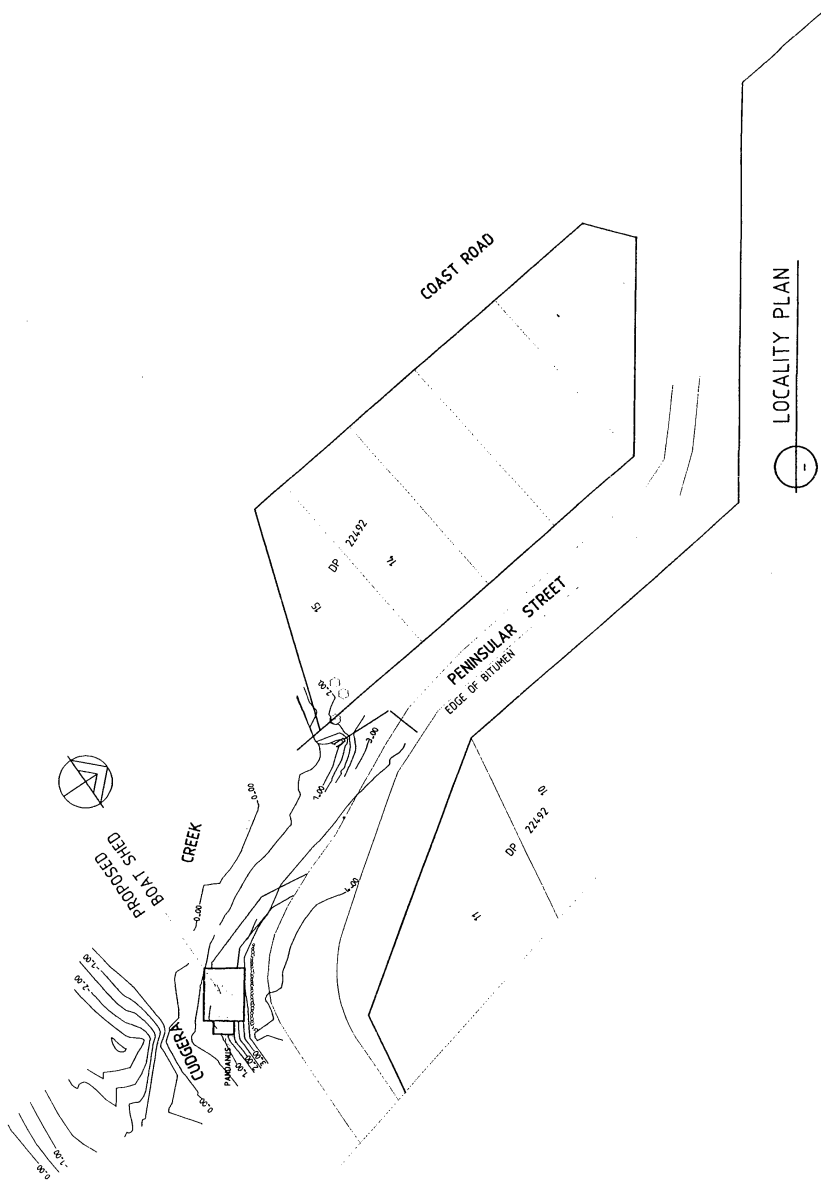
OFFICE: 1/11 MARLBOROUGH AVENUE
TWO BIRDS SOUTH PARK
MORNINGTON TERRACE

CLIENT
TWEED COAST SEA RESCUE

JOB TITLE
PROPOSED BOAT SHED

DRAWING TITLE
LOCALITY PLAN

| | |
|--|---------------|
| GLEN PETERSEN ARCHITECT PTY. LTD. APPROVAL | |
| CLIENT APPROVAL | |
| SCALE | APPROVED DATE |
| N.T.S. | 01-08-99 |
| DESIGNED | DRAWING NO. |
| DRAWN | P112 - WD00 |
| CHECKED | REWORK |
| | A |



THIS DRAWING IS THE COPYRIGHT OF GLEN PETERSEN ARCHITECT PTY. LTD IN © 1999

Reports from Director Development Services

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

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

Tweed LEP 2000 – Clause 11

The proposal is to be sited on land which is zoned 6(a) Open Space. The proposal is defined as an emergency service facility which is permissible with consent in the zone under item 2. It is considered though the site of the development is not compatible with the recreational use of the land and the development may lead to a conflict with the intended recreational use of the land and the surrounding area. In this regard no parking has been provided for the development and the applicant is relying on utilising the existing road reserve for the parking of vehicles associated with the Tweed Coast Sea Rescue Service. At present this area is in high demand on weekends, school holidays and during the summer by other recreational users, and due to the proposed site of the boat shed, no other area can be made available for the parking of vehicles by member of the Rescue Organisation.

Cudgera Creek is also extremely narrow and shallow at low tides and is utilised heavily by families for swimming and other recreational activities, and the use of it by an emergency service for the launching of a rescue boat is not desirable.

In summary it is considered the development is not consistent with the objectives of the zone due to the proposed siting of the facility.

Clause 15 Essential Services

The development incorporates a toilet and shower facility and as such will need to be serviced by the sewer. The applicant has proposed to install a sewer pump station to augment the existing infrastructure.

Clause 31 Development Adjoining Waterbodies

Proposed Boat Shed is to be sited between Peninsular Street and Cudgera Creek. At present this area is negotiable by recreational users who wish to walk around the creek bank for various recreational activities. The boat shed will in effect partially restrict the limited public access around this foreshore area, however it is noted ready access is available to the creek either side of the development and on the opposing bank of the estuary, which has a large sandy beach. The matter was raised with the applicant and amended plans were submitted with the shed utilising a drawbridge. This plan indicates the shed will be landward of the mean high water mark, and the Spring high water marks, however other plans submitted with the application indicate the boat shed will overhang the high water mark.

As a requirement of this provision the application must be compatible with the applicable Estuary Management Plan. The Tweed coastal Committee commented on the proposal and resolved that the development was not inconsistent with the Estuary Management Plan for the Creek. It can therefore be considered that adequate arrangements for public access to the creek can be made.

The development also requires the removal of mangroves from the creek bank, and there relocation to another site within the waterway. A large pandanus palm exists near

Reports from Director Development Services

the site and should the development proceed appropriate conditions of consent would be recommended requiring its protection. Although the mangroves are few in number their removal has not been supported by NSW Fisheries, and the Department has refused to issue their general terms of approval. However in relation to the clause it is considered the removal and relocation of these mangroves would not have a significant effect on the scenic quality, the marine ecosystem or the biodiversity of the estuarine environment

Clause 35 Acid Sulphate Soils

The land is identified as Class 1 Acid Sulphate Soils. An ASS Management Plan has been submitted to neutralise this risk during construction of the development.

North Coast Regional Environment Plan 1988

Clause 32 B Development Control – Coastal Lands

Under this clause Council is not to issue development consent to a development that would impede public access to the foreshore area. Public access to the foreshore area is presently restricted at the site of the proposed boat shed due to the width of the “beach” between Peninsular Street and the water edge, although the site is negotiable along the along the foreshore.

The development sited on the bank of the creek between Peninsular Street and the water edge will further restrict the public’s ability to walk along the banks of the Cudgera Creek. In terms of this clause, the plans are unclear in relation to the exact siting of the building, and the applicant has failed to demonstrate exactly how public access can be maintained.

Clause 81 Development Adjacent to the Ocean or a Waterway

Proposal may impede the public’s access along the foreshore area, but in general it is considered there is sufficient accessible open space for the public in the vicinity of the proposed development. The building takes on the traditional appearance of a boat shed, and would not detract from the visual amenity of the waterway. The application was forwarded to the Tweed Coastal Committee who resolved that the development was not inconsistent with the Estuary Management Plan for the area.

Section 91A of the EPA Act 1979

The development requires the removal of a stand of mangroves and approval has been sought from NSW Fisheries to obtain a permit under the Fisheries Management Act 1994. NSW Fisheries have refused to grant their general terms of approval. Consequently Council has no option other than to refuse the application in accordance with Section 91A(4) of the Act.

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

No Draft EPI’s affect this proposal

Reports from Director Development Services

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

DCP No. 2 Site Access and Parking Code

Having regard to the size of the development it is considered the provision of two vehicle spaces would be suitable to cater for this development. However due to the proposed site, insufficient land is available for parking of members vehicles and the applicant is relying on utilising the public domain for car parking. Further the access ramp to the development would be difficult for a vehicle to negotiate while reversing a boat trailer. It is considered the proposal does not comply with the requirements of the DCP.

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

In relation to the Coastal Policy the land is identified under the Coastal Policy, and may be affected by Coastal Processes. The land is westward of the 100 year erosion lines as depicted in the Coastal Hazards Study by WBM Oceanics. However due to it's location on the creek it may be affected by tidal inundation during a storm event. Building materials are considered to be capable of short-term inundation, and should the application be approved appropriate conditions would be placed on the consent to ensure all electrics are capable of withstanding inundation.

(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**

Marine Vegetation: The proposed development required the removal of mangroves which have not been supported by NSW Fisheries and have refused to issue there general terms of approval. Generally Council would support such a proposal if the mangroves are replanted elsewhere and the development has the support of NSW Fisheries.

Fuel and Oil: Should the development proceed the applicant would be required to install a suitable grease arrestor, and conditions would be placed on any approval prohibiting all maintenance work on the boat other than refuelling.

Scenic Amenity: Development has been designed as a traditional boat shed and would not adversely impact upon the visual amenity of the creek or neighbourhood.

Acid Sulphate Soils: Applicant has submitted an ASS Management Plan to manage this risk during construction of the boat shed.

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

Car Parking: No car parking can be provided for members and as such the site is considered not suitable for the development.

Foreshore Access: Development likely to restrict foreshore access as it is wedged in between Peninsular Street and the Creek and the applicant has failed to demonstrate how public access along the creek bank can be maintained.

The Creek: The creek entrance becomes extremely shallow at low tide and is restricted by rocks and the like. The applicant has advised that the Rescue Service utilises a Jet Boat which has a 150 mm draft, and could if need be manhandle the boat across the entrance if there was insufficient water depth. However this raises questions regarding

Reports from Director Development Services

the suitability of locating the Boat Shed on a creek which may not always be open to provide quick and easy access to open ocean, which should be a prerequisite for an emergency user. Further the creek is also utilised by a range of recreational users for swimming, fishing, canoeing and the entrance to the creek mouth is a popular surfing spot for local when conditions prevail. This would also provide further hazards for the rescue boat to negotiate on it's way out of the creek.

Further should the application be approved and the organisation get a larger boat, or the creek entrance becomes so shallow it is cant be negotiated by boat, pressure may then be placed on the public authorities like the Council or the Department of Land and Water Conservation to commit funds to keep the creek permanently open.

Access: Access into the shed is complicated and may prevent difficulties for the manoeuvring/ reversing a boat trailer into the shed as the drive has a kink in it, and is located on a bend in Peninsular Street. A larger site would enable access to be more straight forward, including on-site manoeuvring areas.

Conclusion: The siting of the boat shed in it's present location is not suitable. More favourable sites may be available elsewhere in the area for an emergency facility, which could overcome these issues.

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

Submissions have been received from the Department of Land and Water Conservation and NSW Fisheries. DLWC have advised that Council should be satisfied with the suitability of this site as opposed to other sites in the area, and requested that the applicant verify that the proposal would not create the demand for further works such as dredging. The applicant has advised that the boat in current use by the Tweed Coast Rescue has a draft of only 150 mm and can be manhandled across sand banks if required, and therefore would be no demand to dredge the creek. As discussed above the creek is shallow, utilised for a variety of recreational activities, and the need to manhandle a boat across sand banks would not be a desirable in an emergency. It is of some concern though when DLWC have issues with a development on public land, why, being the regulatory authority managing that land, they issue owners consent for the development in the first instance. Not-with-standing this the matters raised by DLWC are of concern and the proposed site as discussed above is considered unsuitable.

NSW Fisheries have advised that they will not issue a permit to remove marine vegetation under the Fisheries Management Act 1994 and that consultation with Tweed Police, Kingscliff Marine Rescue and local surf clubs revealed that Hastings Point is adequately covered for marine emergencies, and that the development is not justified. As NSW fisheries have refused to issue a permit to remove marine vegetation, Council can not approve this application.

(e) Public interest

It is considered the development is not in the public interest, as the development will rely on utilising foreshore open space, and in part alienate that part of the Creek from public usage. Car parking is inadequate for the development as the proponents rely on the public road reserve. The Creek is a highly popular spot for recreation and in

Reports from Director Development Services

conjunction with it's physical constraints, its usage as a base for an emergency service provider is not appropriate. As such in an emergency the creek may be difficult to negotiate in a boat, presenting a hazard for recreational users and a liability risk to the rescue organisation itself.

Further should Tweed Sea Rescue replace the boat with a larger craft, pressure may then be place on various public bodies such as Council and DLWC to finance the dredging of the creek.

Comments from the Division of Environment and Community Services

The Environment and Health Service Unit

The Unit have recommended against the proposal proceeding on the grounds that site is valuable in terms of ecology and as open space, and the proposed structure will compromise recreational movements along the foreshore area. Although it is recognised marine rescue activities are valuable the proposed site is cannot be supported and an alternative location should be investigated.

Building Services Unit

No objection to the proposed development subject to conditions of consent pertaining to the construction of the development.

Comments from the Division of Engineering Services

Have objected to the proposal in relation to it's siting and the following is a summary of the issues raised.

- Driveway is narrow and curved and difficult to negotiate with car and trailer combination.
- Driveway unsafe for reversing into boat shed, and nil visibility up the 20% slope of the driveway when accessing Peninsular Street making it unsafe for pedestrians and other vehicles.
- Conflict with car parking in the Public Domain, as site cannot provide additional parking for rescue organisation members.

A meeting was held with a representative of the applicant who advised the following.

1. Boat will be stored in the boat shed the majority of the time and will only need to be manoeuvred onto the road for maintenance or servicing at a workshop.
2. Boat will enter water directly from shed.
3. The rescue organisation if need be can utilise boat ramp on other side of the creek if need be.
4. Car parking within Pandanus Parade required only on an intermittent basis when members are called out for an emergency.

In response to this response, the site still remains questionable, and does not provide the opportunity for the rescue organisation to expand, due to a lack of on-site parking and the access into the shed is unsuitable should the boat ramp on the opposite bank is

Reports from Director Development Services

closed. To conclude a more appropriate site for the shed, which provides better parking and access arrangements should be investigated.

OPTIONS

Given that NSW Fisheries have refused to issue their General Terms of Approval Council has no option other than to refuse the application.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

Should the application be refused the applicant has recourse to have the matter heard in the Land and Environment Court, which has resource implications for Council.

CONCLUSION

The proposed site of the Boat Shed is constrained by its physical and natural attributes which prevent it from being a suitable location. No provision can be made for car parking on-site, and the driveway access is difficult to negotiate, and maybe nearly impossible with a car and trailer. Further the applicant has failed to demonstrate how public access along the foreshore can be maintained, while the creek itself is narrow, shallow and provides for a variety of recreational activities which make the creek difficult to negotiate at the best of times. Finally NSW Fisheries have refused to issue their general terms of approval under the Fisheries Management Act 1994 and as such Council cannot issue development consent to the proposal under the Environmental Planning and Assessment Act 1979.

Reports from Director Development Services

4. ORIGIN: Development Assessment Unit

FILE REF: DA3770/20 Pt1; 3770.20

REPORT TITLE:

Development Application 0717/2001DA - Proposed Office Accommodation at Lot B DP 174482, No. 3 Nullum Street, Murwillumbah - Waiving of Section 94 Contributions for Roads

SUMMARY OF REPORT:

Council has received a submission from Jim Glazebrook and Associates Pty Ltd to be considered as an Eligible Business Enterprise in accordance with Council's Resolution of 5 September 2001, and consequently not be required to pay Section 94 Contributions as levied under Development Consent 0717/2001. The circumstances are unusual in that the property is owned by James and Anne Glazebrook who are also the Directors of the Company. In terms of business and tax law, it is concluded that the owners of the property and the company are separate entities, and the proponents satisfy the requirements of an Eligible Business Enterprise.

RECOMMENDATION:

That Council receives and notes the conclusion by the Director of Development Services that Jim Glazebrook and Associates Pty Ltd are an Eligible Business Enterprise in terms of the Council resolution of 5 September 2001 and are excluded from the need to pay Section 94 Contributions under Tweed Road Contribution Plan No. 4 as levied under Development Consent 0717/2001DA.

Reports from Director Development Services

REPORT:

Council approved Development Application 0717/2001DA on April 3, 2002 for the use of an existing dwelling as Office Accommodation for Jim Glazebrook and Associates Pty Ltd. In assessing the application, Section 94 Contributions were levied in accordance with Section 94 Plan No. 4 Tweed Roads Contribution Plan. A Condition was placed on the consent requiring contributions of \$4004 to be paid to Council prior to the release of the construction certificate.

The building is owned by James and Anne Glazebrook and will be rented by Jim Glazebrook and Associates Pty Ltd. The Directors of this company are James and Anne Glazebrook. The building has a floor area of approximately 140 m². Jim Glazebrook and Associates Pty Ltd are seeking an exemption from paying the contribution in accordance with Council's resolution of 5 September 2001, concerning Eligible Business Enterprises. The resolution stated:

“That Eligible Business Enterprises be excluded from the need to make TRCP payments. Eligible Business Enterprises are defined as retail, commercial and light industrial, change of use, activities to be established in rented premises with a gross floor area of less than 1000m². Professional chambers are included in the definition. Final determination of the eligibility of a business into this category will be at the discretion of the Director of Development Services.”

In terms of the resolution, there is no technical reason for Jim Glazebrook and Associates Pty Ltd not to be considered as an Eligible Business Enterprise and be excluded from the need to pay road contributions in this instance. The building has a floor area of less than 1000 m², is to be rented, and the owners of the property are separate entities from the company in tax and business law. Although the circumstances are atypical, it is concluded that an exemption is to be granted to Jim Glazebrook and Associates from the need to pay contributions as required under Development Consent 0717/2001DA.

Reports from Director Development Services

5. ORIGIN: Development Assessment Unit

FILE REF: R2060 Pt3; Fingal Road

REPORT TITLE:

Review of Environmental Factors 0054/2001PTV for a Road Widening and Relocation at Fingal Road

SUMMARY OF REPORT:

The following report details the issues raised in considering a Review of Environmental Factors prepared for Stages 2 and 3 of Fingal Road Widening and Relocation. The proposed works have been assessed and considered in relation to the factors requiring consideration under Section 228(2) of the Environmental Planning and Assessment Regulation 2000. This report has been prepared as part of Council's systematic process of environmental review to ensure sound decision-making for proposed works as detailed in the Department of Urban Affairs and Planning Circular No. E1 dated 17 March 1989.

The adjoining properties to Stage 2 were notified of the plans and Review of Environmental Factors in relation to the proposed construction works. Submissions were received and the issues raised have been considered in this report.

In conclusion, it is considered that the proposed relocation of Fingal does not generate a significant effect on the environment and as such the preparation of an environmental impact statement is not required. Conditions for the proposed works are recommended.

RECOMMENDATION:

That Development Application 0054/2001PTV for a road widening and relocation at Fingal Road be approved subject to the following conditions: -

1. The development shall be completed in general accordance with the plans and documents submitted with the application for Stage 2 only, except where varied by these conditions.
2. Prior to commencement of work all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Director, Development Services. Erosion and sedimentation control devices shall be installed in accordance with the publication, "Managing Urban Stormwater - Soil and Construction", prepared by the NSW Department of Housing. All erosion and sedimentation controls shall be maintained throughout the period of construction.
3. 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.
4. All necessary precautions shall be taken to minimise impact from dust during filling operations from the site and also from construction vehicles.
5. Construction site work including the entering and leaving of vehicles is to be restricted to between 7.00 am and 5.00 pm Monday to Friday and no work on Saturdays or Sundays.
6. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

Reports from Director Development Services

- A. Short Term Period - 4 weeks.
L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.
- B. Long term period - the duration.
L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.
7. Prior to commencement of work a permit is to be obtained from NSW Fisheries pursuant to the Fisheries Management Act, 1994.
8. Measures shall be undertaken to ensure that no river bank disturbance or erosion occurs during works.
9. In the event that any relics or the like being discovered during the construction stage all work on the affected area (and its immediate surrounds) is to cease, and consultation is to occur with National Parks and Wildlife Service and the Tweed Byron Local Aboriginal Council. Work is not to recommence until authorised by National Parks and Wildlife Services.
10. At any time deemed necessary by the Director of Environment and Community Services road traffic noise, received by residents adjacent to the subject works, shall be monitored by suitably qualified person and reported to Council for consideration.
11. A landscaping vegetation management plan shall be prepared for the Fingal Road Reserve. Such shall include a plant species list and plant groupings appropriate to the locality. The revegetation works shall commence for each Stage following the completion of the road works. Waste disposal facilities should be incorporated into the landscape areas.
12. 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.
13. The burning off of trees and associated vegetation felled by clearing operations is not permitted unless such burning is carried out in a specially constructed pit provided with an air curtain over the top. Separate approval is required prior to any burning.
14. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.
15. All activities associated with the occupancy of the building are to comply with the Protection of the Environment Operations Act, 1997.
16. 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.

Reports from Director Development Services

REPORT:

Applicant: Tweed Shire Council

Owner: No Associations OF Owner Are Linked TO This Application

Location: ROAD 2060, Fingal Road

Zoning: Uncoloured Land

Cost: \$400,000

BACKGROUND

Council is in receipt of an assessment under Part 5 of the Environmental Planning and Assessment Act 1979 for the relocation of Fingal Road. A Review of Environmental Factors was prepared for Stages 2 and 3 of the Fingal Road Widening and Relocation and submitted for consideration.

The application under Part V of the Environmental Planning and Assessment Act 1979 was notified to the adjoining property owners for the Stage 2 section of the proposal. Detailed plans were not included in the submission for the Stage 3 section of road works, as such residents along that section of road were not notified.

A further application for Stage 3 section of road works will be required to enable the residents for that section of the road to be notified of plans identifying their property boundary and access to the new road alignment. The issues assessed in this report are considered to relate to both sections of the proposed road works, while it is only being recommended to issue a consent of conditions to Stage 2 of the proposal.

The following history details previous reports on the subject.

4/4/2001 Council considered in the Orders of the Day the rescission and resolved:

“The Notice of Rescission was withdrawn”.

21/3/2001 Notice of Rescission was lodged.

7/3/2001 Council considered a report which detailed the groups and individuals in support of and those not in support of the 7.5m road alignment from residential property boundaries. Council resolved:

- “1. Adopt the proposal to upgrade Fingal Road with a new road alignment providing at least 7.5m between residential property boundaries and the kerb and gutter.*
- 2. Proceeds with the preparation of detailed Engineering documentation and development application.”*

19/4/2000 Council considered a report regarding the Fingal Road Realignment and resolved:

- “1. Endorses the proposed realignment of Fingal Road to a new road alignment providing at least 7.5m between residential property boundaries and the kerb and gutter, for the purposes of public exhibition.*
- 2. Places the proposed road realignment plan on public exhibition for a period of 28 days.*

Reports from Director Development Services

3. *Distributes a copy of the plan to local residents and to resident and ratepayer organisations and actively seek comments."*

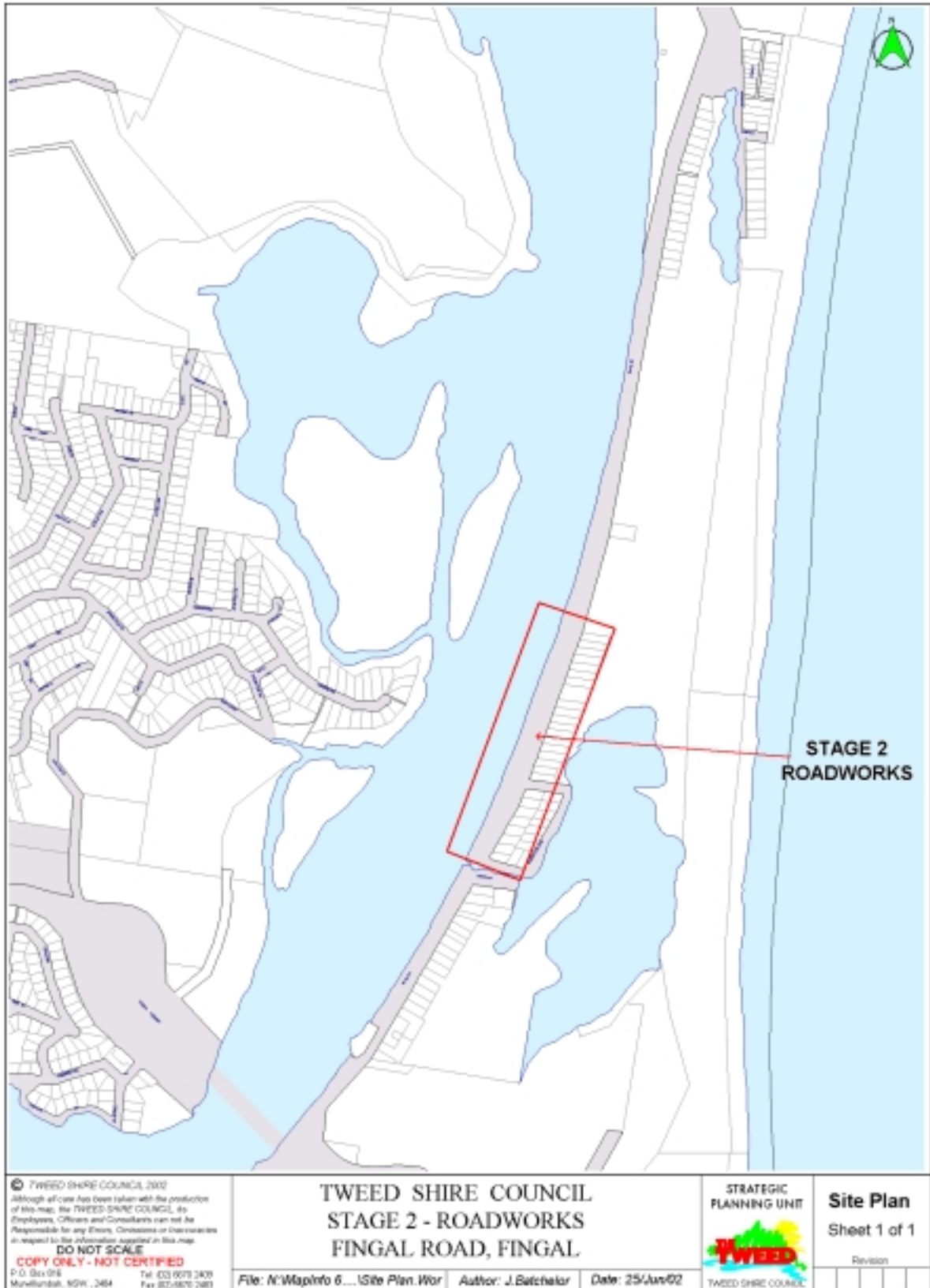
7/7/1999

Council considered a report for Stage 1 Road Works for Fingal and resolved that conditional consent be issued.

Council's files indicate that following the resolution of 19/4/2000 a mail merge letter was forwarded dated 6/10/2000 to a number of residents along the route for comment. The purpose of renotifying the adjoining landowners for each stage at this point in time is to ensure current landowners are aware of the proposed construction activity and are given the opportunity to make comment in relation to its impacts from a detailed design perspective on their property.

Reports from Director Development Services

SITE DIAGRAM



Reports from Director Development Services

ASSESSMENT UNDER PART 5 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATION 2000

(a) **Any Impact on a Community**

The proposed road relocation to 7.5m from the property boundaries along Fingal Road specifically as detailed in the design for Stage 2 will result in changes in the community. These changes are considered to be primarily the proximity of the road to residential properties and associated impacts of noise and light from vehicles. These changes are operational once the road is established.

During construction changes in the community will be experienced by way of some tree removal, construction activity and associated traffic control from Monday to Friday.

Additional recreational area will be established from relocating the road, further enhancing the foreshore recreational opportunities for the wider community.

The submissions received raised concern that adverse amenity impacts will be experienced from increased traffic noise through the increased proximity of the road to residential properties.

To ascertain the level of noise impact on the community Council commissioned a report from Craig Hill Acoustics dated January 2002. That report concluded:-

“Predictions indicate that the criteria would be exceeded for first floor residential once vehicle movements approached 3,612 vpd.

When noise levels exceed the criteria sound shell attenuation could be installed to provide suitable internal levels. Insulation could be provided as double or secondary glazing and insulation to walls and ceilings when higher levels are experienced.

As the realignment results in noise levels increasing by 4-5dB(A) the additional noise would be noticeable to residents and may initially result in numerous complaints.

Traffic calming devices can be used to keep vehicle speeds in check, this would help control noise levels, as noise from speeding vehicles can be considerably higher than normal traffic.

Noise from traffic should be monitored upon completion and periodically in the future. When levels are found to exceed the criteria, insulation should be provided to enable suitable internal levels to be achieved.

The installation of solid fences to the front of properties would reduce noise impact to lower levels by up to 10dB(A) and upper levels at selected properties by up to 5dB(A).

Premises with high internal reverberation as a result of extended hard surface finishes inside or partially enclosed balcony areas will notice the increase in noise levels the most. Low reverberation times are desirable for dwellings when dealing with noise impact”.

Reports from Director Development Services

As submissions received questioned the validity of the findings held and traffic counts used a further submission was prepared by Council's Design Engineer to validate the assumptions held, as follows: -

"According to the Acoustic Report, at a 10m setback from the kerb, the EPA noise criteria of 60dB(A) is exceeded at the current traffic volumes. At a 15m setback, the criteria is exceeded only at the predicted 10 year traffic volumes and only on the first floor.

As the kerb is designed to have a 7.5 setback from the property boundary and allowing a 6m setback for the houses from the property boundary (Council Standard) a total distance of 13.5m from the facades will be achieved.

Craig Hill Acoustics has advised that the readings from the 15m setback can be assumed for the 13.5m setback. Therefore, the EPA noise criteria will only be exceeded (by 0.7dB(A) on the first floor) when traffic volumes exceed 3,612vpd under current conditions.

It should be noted that the sound level meters for the acoustic monitoring were located in a position where traffic is known to exceed the speed limit considerably (the traffic counts show that 85% of the vehicles travel at 73km in a 60km/hr zone).

The proposed design includes traffic calming devices and an improvement to the pavement surface. It is considered that these measures will add to the reduction in traffic speed and therefore traffic noise.

As Council's traffic predictions are considered conservative, based on overall growth within the Shire, it is unlikely that traffic volumes will reach those outlined in tables 2 and 3. Therefore, it is unlikely that the EPA criteria will be exceeded within the 10 year timeframe, even at first floor level.

It is on the basis that Council proposes to undertake noise monitoring at regular intervals, and if the noise level exceeds 60dB(A), sound shell attenuation for individual properties will be investigated."

Council's Environmental Health Surveyor assessed this submission and concluded: -

"The submission made to you by Ian Munro appears to be reasonable. There is a minor exceedence of 0.7dB(A) above the EPA daytime criteria at the ground floor. This exceedence is considered relatively small.

The assumptions regarding traffic volumes are also conservative. Also, the traffic calming measures are likely to reduce average vehicle speeds, meaning that the noise levels on which the modelling is based, may be reduced after the works. The potential for disturbance of residents is considered low.

The levels reported do not appear to establish a valid reason for the proposal not to proceed.

It is noted that noise levels will be monitored in future. In this case the following additional condition should be included in any consent:

Reports from Director Development Services

- *At any time deemed necessary by the DECS road traffic noise, received by residents adjacent to the subject works, shall be monitored by a suitably qualified person and reported to Council for consideration.*

In this case, if ongoing justifiable complaints about traffic noise are received, then Engineering Services can be required to have the relevant monitoring undertaken for consideration”.

As such, having had regard for the technical reports and their assessment as submitted it is considered that the proposed works are not likely to result in a significant adverse impact on the environment. The Review of Environmental Factors and reports do identify a level of change that will be experienced in the community of immediate residents. The imposition of conditions as recommended will provide safeguards to the community.

Concern was raised that access to properties opposite the proposed traffic calming devices will be impaired and restricted, causing nuisance and road safety concern. Having had discussion on this issue with Council’s Manager of Design it is assured that all driveway accesses will be provided to property and that location of traffic calming devices will not prevent access to these properties from both road directions.

(b) Any Transformation of a Locality

The objectives for undertaking the project as stated in the Review of Environmental Factors relate to:-

- service life of existing pavement requiring reconstruction
- increase recreational foreshore areas
- a road engineered to a design speed environment

The project through these objects will transform the locality to an area where there will be an increase in road safety, foreshore recreation area and improved road network. The transformations are considered to be beneficial and will improve the degraded local road network. The transformation of the locality is not considered to result in a significant environmental impact.

(c) Any Environmental Impact on the Ecosystems of the Locality

The Review of Environmental Factors (REF) assessed the impacts to the local ecosystem to be minimal. The REF identified a plant species list for the road reserve, identified threatened species likely to occur in the area and prepared an eight part test for each species considered to possibly occur in the area.

From site inspection it is evident that the majority of the road reserve is clear of vegetation or supports exotic (introduced) species of vegetation. The exception to this is the vegetation located in the road reserve in front of No.28 Fingal Road.

The vegetation consists of local native species that are well established and support an Aristolochia vine which is the food source for the Richmond Birdwing Butterfly. Without deviating the road around this vegetation it would not appear to be possible to retain the significant component of the stand.

Reports from Director Development Services

It is recommended that a landscaping vegetation management plan be prepared for the reserve area created by way of the road realignment and that such management plan make provision for substantial trees that could support the Richmond Birdwing Butterfly vine. While the replacement vegetation would take a period of time to establish it is considered that through the inclusion of a number of the vines the area may come to support more of the caterpillars.

A landscaping vegetation management plan would also be able to ensure an increase in native vegetation to the immediate locality which also provides wind protection and reduces the glare from the Tweed River.

Other submissions in relation to the natural environment that were received raised the issue that for stage 3 of the proposed road works a more detailed flora fauna assessment will be required as there are different species occurring in that section including brown quail and an osprey roost, around No.44 and No.45 Fingal Road.

It is also noted that one of the submissions raised concern that the flora and fauna assessment was predominantly desk top and did not take into account the function of the road reserve as a corridor for other natural features in the area such as Wommin Lake Reserve, and other pockets of rainforest in the Fingal area.

With the realignment of the road into the area that many nocturnal animals utilise concern was raised that there would be an increase in road kills and changes to the habitat of these animals utilising the road reserve. These aspects of the proposal were raised as being of a level which generate a significant impact on the environment, and therefore an environmental impact statement should have been prepared.

In assessing the proposed realignment it is acknowledged that the road reserve may be utilised by fauna moving between adjoining natural areas and that the road reserve may be a link for fauna in the area. However it is also considered that the road reserve will still be available to fauna and that as the existing pavement will be reduced to cycle way and pedestrian use the majority of the road reserve will be available for fauna movement.

The proposed realignment does not include obstructions to such fauna and is at grade providing motorists with adequate opportunity to identify fauna moving in the area. It may be necessary in the future to consider the erection of wildlife signage if it is found to be an area subject to high levels of road kill.

The proposed development may require a permit from NSW Fisheries for the installation of pipes and construction which extend below mean high water mark and the removal of any mangroves. It is recommended that such permit be obtained prior to commencement of work.

In summary it is considered that through imposing conditions for a landscaping vegetation management plan, ensuring stage 3 identifies the osprey roosting area and conditioning for NSW Fisheries permits where required, the proposed road works will not generate a significant impact on the ecosystems of the locality.

Reports from Director Development Services

(d) Any Reduction of Aesthetic, Recreational, Scientific or other Environmental Quality of Value of a Locality

The Review of Environmental Factors identifies construction impacts to be noise and loss of aesthetic amenity through vegetation removal. The other issue raised is the visual aesthetic between the existing road and residential properties being reduced.

The issues of noise and vegetation removal have been assessed in this report.

The effect of moving the road closer to residential properties will reduce a value held by some of the residents in the locality. The residents have over time maintained and embellished the road reserve extending their perceived property boundaries to the existing road alignment. It is considered that the visual impact of reducing the properties setback to 7.5m from the road is minor to the extent that the majority of the dwellings will be setback 13.5m from the road which is speed limited to 60km/hr.

The visual setback of 7.5m from property boundaries exceeds most residential areas of the Shire, which have a standard typically of 3.5 metres including pedestrian corridors.

From site inspections it is considered the visual impact of realigning the road to residential properties at the proposed distance will still afford visual amenity to residences.

The appearance of the road will vary to a higher engineered standard than the current formation. This change in appearance of the road is not considered to reduce aesthetic values in the locality.

From submissions received no objection has been raised to the increase in recreational land available in the locality.

The recommended conditions of consent are considered to provide safeguards to ensure environmental quality of the locality is maintained.

(e) Any Effect on a Locality, Place or Building having Aesthetic, Anthropological, Architectural, Cultural, Historical, Scientific or Social Significance or other Special Value for Present or Future Generations,

The proposed realignment is in an area of highly disturbed land. To ensure the proposed works do not disturb any sites of archaeological significance a condition of consent is proposed to ensure cultural and scientific values are protected.

(f) Any Impact on the Habitat of Protected Fauna

The Review of Environmental Factors did not identify any protected fauna in the area. However the species that may occur in the area were identified and an eight-point test submitted. The submissions received raised the issue that the assessment was desktop and cannot be relied upon. However, the information provided does indicate that the species likely to occur in the locality are not likely to experience habitat loss by way of the new road alignment.

Reports from Director Development Services

(g) Any Endangering of Any Species of Animal, Plant or other form of Life, Whether Living on the Land, in Water or in Land

From the information detailed in the Review of Environmental Factors, submissions received and site inspection undertaken it is not envisaged that any endangering of species is likely to occur.

(h) Any Long-term Effects on the Environment

The issue raised in the submissions of noise impacts to residents has been assessed as being minor. Council's Environmental Health Officer has reported that there is no valid reason for the proposal not to proceed and that in the future noise monitoring could be required should it be deemed necessary. There are no other long-term affects considered to be raised by the proposal.

(i) Any Degradation of the Quality of the Environment

The proposal will result in some tree removal. It is considered that the tree removal can be supported by implementing a landscape vegetation management plan. While many residents have limited their landscaping to low plants it is envisaged for view reasons, the Fingal Road corridor is in need of re-vegetation for visual, and ecology benefits which will reduce the degradation in this foreshore area. The proposal is not considered to increase degradation; rather it provides an opportunity to improve this foreshore strip.

(j) Any Risk to the Safety of the Environment

Safety risks for the construction phase will be managed by traffic safety management plans and other works related controls identified in the Review of Environmental Factors. In an operational sense the proposed roadwork's will result in improved safety for the following reasons identified in the Review of Environmental Factors: -

1. Traffic calming devices to slow traffic down.
2. Cycle path for pedestrian and cyclists located away from the road.
3. Pedestrian refuges incorporated into slow points.

It is considered that the Review of Environmental Factors has adequately addressed this issue and that no significant impact to the safety of the environment will be generated.

(k) Any Reduction in the Range of Beneficial Uses of the Environment

The Review of Environmental Factors did not identify any beneficial uses of the environment that would be reduced by the proposal. From site inspections it is considered that this conclusion is supported as the proposal is not likely to reduce use of the environment, but increase use of foreshore area.

(l) Any Pollution of the Environment

The Review of Environmental Factors identifies construction phase and operational phase potential pollution issues. It is considered that the construction phase impacts can be managed by conditioning the need for soil and water management plan and controls therefore ensuring pollution is minimised.

Operation impacts to air quality through vehicle emissions has not been raised as an issue for the proposal. Operation noise pollution has been identified by the noise

Reports from Director Development Services

consultant as likely to generate noise complaints. Councils Environmental Health Officer has concluded that while the levels are minor and the proposal can be supported, monitoring may be required in the future.

(m) Any Environmental Problems associated with the Disposal of Waste

The proposed works will not require disposal of waste. However, concern was raised in submissions that waste dumped along Fingal Road by tourists and recreational users is an issue and through placement of disposal bins it is considered the proposed recreational foreshore area will not generate a waste disposal environmental problem.

(n) Any Increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply

There will be an increase in demand for resources to build the road however this demand will not result in resources becoming in short supply.

(o) Any Cumulative Environmental Effect with other existing or Likely Future Activities

Cumulative environmental effects from the proposal identified in the Review of Environmental Factors are limited to beneficial. The proposal is not removing habitat areas or reducing open space, rather relocating a road in a public road reserve. The impacts likely to be generated are addressed in their report and such are not considered to significantly increase cumulative effects in the locality.

OPTIONS

1. Approve the road widening and relocation for Fingal Road in Stage 2 subject to the recommended conditions.
2. Investigate alternative options.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

When a public authority makes a decision about a development not subject to a development application, it has the role of determining authority. A determining authority must examine and take into account to the fullest extent possible all matter affecting or likely to affect the environment by reason of that activity. If there is no adequate environmental assessment a decision to undertake an activity may be declared invalid under legal challenge.

Financial implications of the proposal are raised in the conclusions of the Noise Report commissioned by Council. These financial implications are generated when noise levels are found to exceed the criteria, as insulation is concluded to be a method to enable suitable internal levels to be achieved.

CONSULTATION

The history detailed in this report identifies various reports to Council, previous assessment report, for Stage 1 and the consultation being undertaken as resolved by Council. It is clear from Councils records that Fingal Road has been the subject of much correspondence in the past, and it is understood many meetings.

Even though this is the case, the Fingal Road project has evolved over a number of years with the approval for Stage 1 being issued in 1999.

Reports from Director Development Services

The importance of keeping community informed of each stage is raised as residents have changed, and, understanding of the process reduces over time.

As such while not all of the residents of Stage 2 raised objections, it is felt that as normally afforded to objectors, a copy of this report should be forwarded to the residents of Stage 2 to assist in understanding any decision or resolution made.

In addition, upon completion of a design for Stage 3 at the same plan detail as for Stage 2, such residents should be notified and given the opportunity to observe the relation of their access to property and the proposed new road alignment, raising concern where necessary.

CONCLUSION

In conclusion, the main issue raised in this report in relation to the proposed road relocation is noise. The noise issue has been assessed by an acoustic engineer and the findings of that report have been assessed by Council's Environmental Health Surveyor.

It is concluded from an assessment of the Review of Environmental Factors, consideration of Council's Environmental Health Surveyor advice and site inspection that the proposed works are not likely to have a significant effect on the environment.

This conclusion is an assessment conferring the findings of the Review of Environmental Factors that an environmental impact statement is not required under Part V of the Environmental Planning and Assessment Act, 1979 for the proposed works.

Reports from Director Development Services

THIS
PAGE
THIS
PAGE
IS
BLANK
IS
BLANK

Reports from Director Development Services

6. ORIGIN: Strategic Town Planning Unit

FILE REF: GT1/LEP/2000/31 Pt1; GT1/LEP/2000/32 Pt1; LEP - 31; LEP - 32

REPORT TITLE:

Draft Tweed Local Environmental Plan 2000, Amendment No 31 and 32 (Housekeeping (Stage 1))

SUMMARY OF REPORT:

The purpose of this report is to attain a resolution from Council that draft Local Environmental Plan Amendment Nos. 31 and 32 be exhibited in accordance with "Best Practice Guidelines - LEPs and Council Land" published by PlanningNSW. This resolution would enable Council to utilise delegated powers to exhibit the subject draft Plan.

RECOMMENDATION:

That Council exhibits draft Tweed Local Environmental Plan Amendment Nos. 31 and 32 in accordance with "Best Practice Guidelines - LEPs and Council Land" published by PlanningNSW.

Reports from Director Development Services

REPORT:

Council has previously resolved to prepare Draft LEP Amendment No 24 – Housekeeping Stage 1. In total this draft Housekeeping LEP included approximately 14 separate housekeeping matters. As there were a number of items, with varying issues related to them, Council officers have grouped the items into common themes and will present these issues separately to provide a simpler, clearer and transparent approach. The Housekeeping matters have been divided into:

- Draft LEP Amendment No 24 – Housekeeping Stage 1 (Black Rocks Anomaly)
- Draft LEP Amendment No 31 – Housekeeping Stage 1 (Administrative LEP Anomalies)
- Draft LEP Amendment No 32 – Housekeeping Stage 1 (Zoning Map Anomalies)

The issues covered by these housekeeping LEP Amendments are exactly the same as to those matters previously considered and resolved to proceed with by Council. The content and intent of these housekeeping matters has remained the same and unchanged.

Draft LEP Amendment No 31 addresses a series of administrative LEP anomalies. The administrative anomalies apply to the whole of the Shire and hence Council owned land and land under the management of Council.

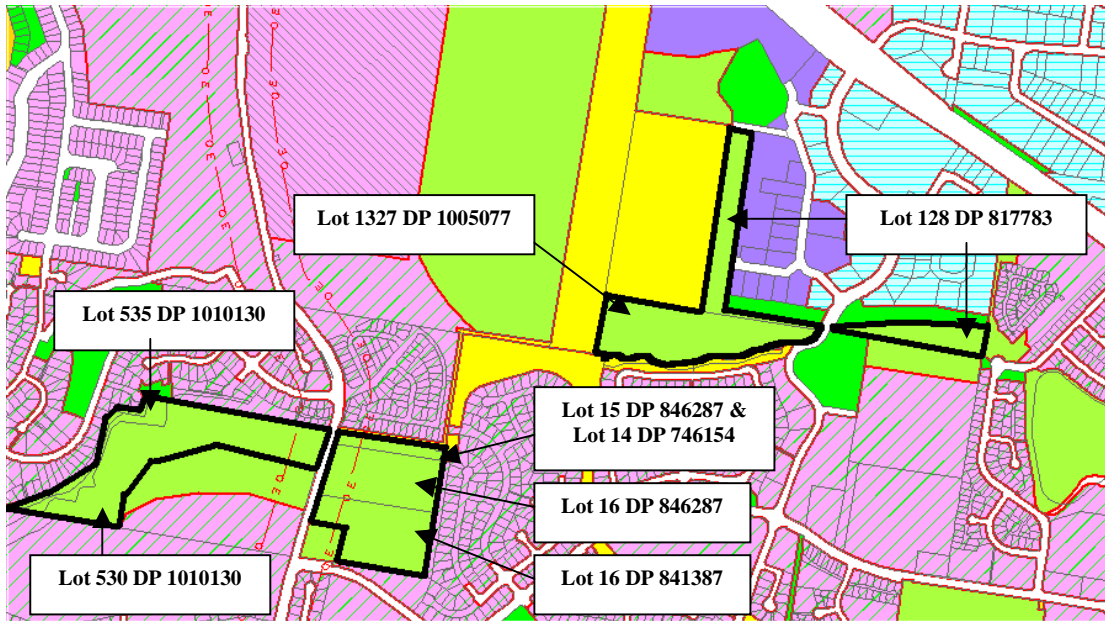
Draft LEP Amendment No 32 (Zoning Map Anomalies) (Figure 1) includes the following parcels of land zoned 6(b) Recreation that are owned/managed by Council:

- Lot 14, DP 746154, Tweed Heads South
- Lot 15, DP 846287, Tweed Heads South
- Lot 128, DP 817783, Tweed Heads South
- Lot 16, DP 846287, Tweed Heads South
- Lot 16, DP 841387, Tweed Heads South
- Lot 530, DP 1010130, Tweed Heads South
- Lot 535, DP 1010130, Tweed Heads South
- Lot 1327, DP 1005077, Tweed Heads South.

The purpose of this report is simply to attain a resolution from Council that draft LEP Amendment Nos. 31 and 32 be exhibited in accordance with “Best Practice Guidelines – LEPs and Council Land” published by PlanningNSW. This resolution would enable Council to utilise delegated powers to exhibit the subject draft Plan.

Reports from Director Development Services

Figure 1



Reports from Director Development Services

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

Reports from Director Development Services

7. ORIGIN: Development Assessment Unit

FILE REF: DA3120/100 Pt1; 3120.100

REPORT TITLE:

Review of Determination of Development Application 0028/2002S96 for an Amendment to Development Consent 0661/2001DA for a Three (3) Lot Industrial Subdivision at Lot 3 DP 717401, Lot 12 DP 1000868, No. 22 Lundberg Drive, Murwillumbah

SUMMARY OF REPORT:

Council considered a report on 15 May 2002 which is attached for the subject application to amend the consent and resolved to reaffirm the conditions, thereby refusing the application.

Council is in receipt of a Review of Determination for the subject application to amend a three lot subdivision at Lundberg Drive Murwillumbah.

The applicant addressed Community Access on 12/6/2002 and submitted documentation to support the position held this being that the Section 94 and Section 64 contribution charges and conditions relating to stormwater, sewer and kerb and gutter are unnecessary and unreasonable.

The applicant's submission is assessed in this report. The previous report is referred to as no further technical matters were raised in the submission.

It is recommended that the application to Review the Determination not be supported.

RECOMMENDATION:

That the application to Review the Determination of the Development Application 0028/2002S96 for an amendment of Development Consent 0661/2001DA for a three (3) lot industrial subdivision at Lot 3 DP 717401, Lot 12 DP 1000868, No. 22 Lundberg Drive Murwillumbah, be refused.

Reports from Director Development Services

REPORT:

Applicant: Fruit Ingredients Australia Pty Ltd

Owner: Australia P Fruit Ingredients

Location: Lot 3 DP 717401, Lot 12 DP 1000868, No. 22 Lundberg Drive Murwillumbah

Zoning: 4(a) Industrial

Est Cost: Nil

BACKGROUND

Council considered a report on 15 May 2002 for an application to amend Development Consent 0661/2001DA being a three (3) lot subdivision of the subject land at Lundberg Drive, Murwillumbah. Council resolved: -

“Conditions 1, 2, 16, 28, 36, 37 and 38 be reaffirmed”.

A refusal notice was forwarded to the applicant detailing the reasons for refusal being: -

“1. The proposed amendment is not in accordance with Council’s policies.”

CONSIDERATION OF MATTERS RAISED IN THE REVIEW OF DETERMINATION SUBMISSION

The applicant’s submission has not presented technical detail requiring further assessment or comment. Copies of the submission are attached. The applicant has indicated that he is prepared to extend the existing kerb and gutter for lot however still proposes to create two allotments without kerb and gutter. It is also requested that the fee of \$165.00 for this Review of Determination be refunded.

The report to Council of 15/5/2002 is attached addressing the issues raised in the application.

There are no further matters raised in the submission requiring assessment.

CONCLUSION

The application to Review the Determination was not accompanied by any technical submission detailing reasons why the applicant’s position could be supported.

It is concluded that the application to Review the Determination and refund the fee be refused and the determination to refuse the application to amend the development consent dated 27/5/2002 be reaffirmed.

Reports from Director Corporate Services

8. ORIGIN: Financial & Information Services Unit

FILE REF: Budget; Rates - Levying

REPORT TITLE:

Making the Rate - 2002/2003

SUMMARY OF REPORT:

The basis of this report is the formal Making of the Rate for 2002/2003.

RECOMMENDATION:

That :-

1. Council makes the 2002/2003 rates in accordance with the provisions of sections 405, 406, 493, 494, 495, 496, 501, 553 and 508 of the Local Government Act 1993:-

(a) Ordinary Rates (section 494)

(i) Residential Rate

A Residential Rate of .7922 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Residential with a minimum rate of four hundred and sixty-five dollars and thirty cents (\$465.30) in respect of any separate parcel of rateable land.

(ii) Farmland Rate

A Farmland Rate of .4194 cents in the dollar on the rateable land value in the Tweed Shire Council area classified Farmland with a minimum rate of four hundred and sixty five dollars and thirty cents (\$465.30) in respect of any separate parcel of rateable land.

(iii) Business Rate

A Business Rate of .7922 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Business with a minimum rate of four hundred and sixty-five dollars and thirty cents (\$465.30) in respect of any separate parcel of rateable land.

(b) Annual Charges (Section 495, 553, 501)

(i) Sewerage Annual Charge

A sewerage annual charge on the rateable land value of all applicable rateable land in the Tweed Shire Council area with an annual charge of four

Reports from Director Corporate Services

hundred and nineteen dollars (\$419.00) in respect of any separate parcel of rateable land.

(ii) Water Annual Charge

Residential assessments – a service charge of \$105.00

Business assessments – a service charge based on meter size being \$105.00 times the Meter Size Multiplier consumption factors as detailed in Table 1.

A volumetric charge of \$0.60 per kilolitre for all consumption.

Vacant assessments rated to water – a service charge of \$105.00.

Properties will be levied the water service charge in accordance with the Local Government Act including the description of what land may be subject to the water service charge.

| Consumption Scale | | Consumption Factors | | | | | | | | | | |
|-------------------|--------|---------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| kl | kl | Meter size (mm) | | | | | | | | | | |
| from | to | 20 | 25 | 32 | 40 | 50 | 80 | 100 | 150 | 200 | 250 | 300 |
| 0 | 290 | 1.000 | 0.640 | 0.391 | 0.250 | 0.160 | 0.063 | 0.040 | 0.018 | 0.010 | 0.006 | 0.004 |
| 291 | 454 | 1.000 | 1.000 | 0.610 | 0.391 | 0.250 | 0.980 | 0.063 | 0.028 | 0.016 | 0.010 | 0.007 |
| 455 | 743 | 1.000 | 1.000 | 1.000 | 0.640 | 0.410 | 0.160 | 0.102 | 0.046 | 0.026 | 0.016 | 0.011 |
| 744 | 1,160 | 1.000 | 1.000 | 1.000 | 1.000 | 0.640 | 0.250 | 0.160 | 0.071 | 0.040 | 0.026 | 0.018 |
| 1,161 | 1,814 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.391 | 0.250 | 0.111 | 0.063 | 0.040 | 0.028 |
| 1,815 | 4,640 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.640 | 0.284 | 0.160 | 0.102 | 0.071 |
| 4,641 | 7,250 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.444 | 0.250 | 0.160 | 0.111 |
| 7,251 | 16,314 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.563 | 0.360 | 0.250 |
| 16,315 | 29,000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.640 | 0.444 |
| 29,001 | 45,314 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.694 |
| Over 45,314 | | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 |

(iii) Tumbulgum Sewerage Annual Charge

A Tumbulgum Sewerage Annual Charge for all rateable land which will be serviced by the Tumbulgum Sewerage Scheme of the Tweed. A sewerage annual charge of two hundred and fifty dollars (\$250.00) in respect of any separate parcel of rateable land within the Tumbulgum area. The following is a description applicable land:-

LOTS 29 & 30 SEC 6 DP 1223

LOT 29 SEC 3 DP 1223

LOT 47 SEC 3 DP 1223

LOT 7 SEC 4 DP 1223

LOT 46 SEC 3 DP 1223

LOT 6 SEC 4 DP 1223

LOTS 44/45 SEC 3 DP 1223

LOT 5 SEC 4 DP 1223

LOT 1 DP 739552 16/20.045 X 26.355/32.805(IRR)

LOT 53 SEC 3 DP 1911

LOT 2 DP 739552 13.775/21.635 X 39.31/32.805

LOT 52 SEC 3 DP 1911

LOTS 11/12 SEC 5 DP 1223 20.12X42.9/39.01

LOT 49 DP 1911 23.93 X 25.15

Reports from Director Corporate Services

LOT 50 DP 1911 23.93 X 25.15
LOT 37 SEC 3 DP 1223
LOT 36 SEC 3 DP 1223
LOTS 34/35 SEC 3 DP 1223
LOT 31 SEC 3 DP 1223
LOTS 5/6 SEC 6 DP 1223 20.12X65.38
LOT 30 SEC 3 DP 1223
LOT 9 SEC 6 DP 1223
LOT 7/8 SEC 6 DP 1223
LOT 35 SEC 2 DP 1223
LOT 34 SEC 2 DP 1223
LOTS 32/33 SEC 2 DP 1223
LOT 10 SEC 6 DP 1223
LOT 1 DP 626425
LOTS 29/30 SEC 2 DP 1223 20.12 X 50.29
LOT 2 DP 626425
LOT 28 SEC 2 DP 1223 10.06X50.29
LOTS 26/27 SEC 2 DP 1223 20.12X50.29
LOT 25 SEC 2 DP 1223
LOT 24 SEC 2 DP 1223
LOT 37 SEC 1 DP 1223 17.68X57.73/61.75
LOT 1 DP 357241 16.08/16.33 X 75/63.7ABT
LOT 2 DP 357241 16.08/16.33 X 63.7/65.56
LOT 41 SEC 1 DP 1223
LOT 42 SEC 1 DP 1223
LOTS 43/44 SEC 1 DP 1223
LOT 45 SEC 1 DP 1223
LOT 46 SEC 1 DP 1223
LOT 47 SEC 1 DP 1223
LOT 48 SEC 1 DP 1223
LOT 49 SEC 1 DP 1223
LOT 50 SEC 1 DP 1223
LOT 51 SEC 1 DP 1223
LOT 52 SEC 1 DP 1223
LOT 53 SEC 1 DP 1223
LOT 54 SEC 1 DP 1223
LOT 55 SEC 1 DP 1223
LOTS 56/57 SEC 1 DP 1223

Reports from Director Corporate Services

LOTS 58/59 SEC 1 DP 1223
LOT 60 SEC 1 DP 1223 16.48X44.86/43.23
LOT 67 SEC 6 DP 1223
LOT 68 SEC 6 DP 1223
LOT 4 SEC 6 DP 1223
LOT 3 SEC 6 DP 1223 16.08 X 32.18
LOT 2 SEC 6 DP 1223 16.08 X 32.18
LOT 23 SEC 2 DP 1223
COR LOT 1 SEC 6 DP 1223 17.09 X 32.18
LOT 22 SEC 2 DP 1223
COR LOT 36 SEC 1 DP 1223 22.35 X 32.18
LOT 21 SEC 2 DP 1223
LOT 35 SEC 1 DP 1223 14.07 X 31.27
LOT 34 SEC 1 DP 1223 14.07/21.11X32.97/32.18
LOT 33 SEC 1 DP 1223 10.0L X 40.84/39.42
LOT 31 SEC 6 DP 1223
LOT 61 SEC 1 DP 1223
LOT 8 SEC 4 DP 1223
LOT 9 SEC 4 DP 1223 18.49 X 35.38
LOT 5 SEC 7 DP 1223
LOT 4 SEC 4 DP 1223
LOTS 3/4 SEC 7 DP 1223
LOT 2 SEC 4 DP 1223
COR LOT 1 SEC 4 DP 1223
COR LOTS 15/18 SEC 5 DP 1223 40.23 X 40.23
LOT 28 SEC 3 DP 1223
LOT 2 DP 839857
LOT 1 DP 839857
LOT 30 DP 240589
LOT 57 SEC 6 DP 1223
COR LOT 1 SEC 7 DP 1223 20.12 X 30.18
LOTS 6/7 SEC 7 DP 1223
LOT 105 107 DP 1011315
LOTS 64/66 SEC 6 DP 1223
LOT 63 SEC 6 DP 12233
LOT 62 SEC 6 DP 1223
LOTS 60 & 61 SEC 6 DP 1223
LOT 59 SEC 6 DP 1223

Reports from Director Corporate Services

LOT 58 SEC 6 DP 1223
LOTS 55/56 SEC 6 DP 1223
LOT 63 & 30/31 SEC 1 DP 1223
LOT 17 SEC 2 DP 1223
LOT 18 SEC 1 DP 1223
LOT 1 DP 574621
LOTS 25/27 SEC 3 DP 1223 41.22/16.48X50.29/52.5
LOT 24 SEC 3 DP 1223 10.06X50.29
LOTS 22/23 SEC 3 DP 1223 20.12X50.29
LOT 21 SEC 3 DP 1223 10.06X50.29
LOTS 18/20 SEC 3 DP 1223 30.18X50.29
LOT 55 DP 1911
LOT 54 DP 1911
LOT 12 SEC 3 DP 1223 LOT 48 DP 1911
LOT 11 SEC 3 DP 1223
LOTS 9/10 SEC 3 DP 1223
LOTS 7/8 SEC 3 DP 1223
LOT 6 SEC 3 DP 1223 18.29/8.23X50.29
LOT 5 SEC 3 DP 1223 10.06X50.29
LOT 2 DP 584974
LOT 1 DP 584974
LOT 2 DP 563652
LOTS 6 & 7 DP 1223 SEC 2
LOT 8 SEC 2 DP 1223
LOTS 9/10 SEC 2 DP 1223 20.12X54.31/55.32
LOT 40 DP 812273
LOT 41 DP 812273
LOT 15 SEC 2 DP 1223 10.06X52.1/52.5
LOT 16 SEC 2 DP 1223
LOT 18 SEC 2 DP 1223 & LOT 1 DP 624442
LOT 201 DP 865762
LOT 3 DP 799347
LOT 2 DP 799347
LOTS 5 & 6 SEC 1 DP 1223
LOT 4 SEC 1 DP 1223
LOTS 9-13 SEC 1 DP 1223
LOT 14 SEC 1 DP 1223 10.06X59.94/49.07
LOT 15 SEC 1 DP 1223

Reports from Director Corporate Services

LOT 16 SEC 1 DP 1223
LOT 17 DP SEC 1 DP 1223
LOT 19 SEC 1 DP 1223
LOTS 20/21 SEC 1 DP 1223 20.12X58.04/58.72
LOTS 24/25 SEC 1 DP1223 20.12X55.32/56.72
LOT 26 SEC 1 DP 1223 10.06X55.32/54.71
LOT 27 SEC 1 DP 1223
LOTS 28/29 SEC 1 DP 1223

(iv) Uki Sewerage Annual Charge

A Uki Sewerage Annual Charge for all rateable land which will be serviced by the Uki Sewerage Scheme of the Tweed. A sewerage annual charge of three hundred dollars (\$300.00) in respect of any separate parcel of rateable land within the Uki area. The following is a description of the applicable land –

LOT 240 DP 729473
LOT 2 DP 731343
LOT 1 DP 731343
LOT 1 DP 709540 & LOT 241 DP 729473
LOTS 153 170 DP 755730
LOT 171 DP755730
LOT 152 DP755730
LOT 173 DP755730
LOT 150 DP 719951
LOT 1 DP 774800
LOT 2 DP 973705
LOT 31 D.P. 624684
LOT 2 DP400980 21.62/17.86X29.79/32.99
LOT 1 DP 661876
PT LOT 183 DP 755730
LOT A & PT LOT B DP385579 18.47/9.37X57.12/56.49
LOT A DP971647 18.29X40.23
LOT B DP970550 18.29X40.23
LOT 1 DP400980 3.66/18.75X52.86/71.27 IRR
LOT 233 DP 721129
LOT 232 DP 721129
LOTS 7/8 DP 8107 33.83/34.08X33.68/38.22
LOTS 4/5 DP 8107 90/27.64X28.5/31.85
LOT 3 DP 8107 10.97/11.05X27.15/28.5
LOTS 1/2 DP 8107 39.62/43.84X10.06/27.15

Reports from Director Corporate Services

LOT 12 DP 829544
LOT 9 DP 825218 LOTS 11-12 DP 838447
LOTS 1-6 DP 7188 LOTS 2-3 SEC 2 DP 10909 &
PH NULLUM LOT 4 SEC 1 DP10909
LOT 3 DP 814658 SUBJECT TO DRAINAGE EASEMENT
LOT 11 D.P. 618030
LOT 10 D.P.618030 18.83/19.165 X 37/39.045
LOT 7 SEC 1 DP 10909 PARISH NULLUM
PSH NULLUM LOT 8 SEC 1 DP 10909 38.4 FTGE
LOT B DP 369388
LOT A DP 369388
LOT 2 DP 549954
PSH NULLUM LOT 1 SEC 3 DP 11045
PARISH NULLUM LOT 9 DP 778348
LOT 4 SEC 3 DP 11045
LOT 10 DP 825218 SUBJ TO DRAINAGE E'MENT
LOT 12 DP 618030
LOT 2/3 SEC 3 DP 11045
LOT 5 SEC 3 DP 11045
LOT 6 SEC 3 DP 11045
LOT B DP 103527 & LOT 235 DP 727458
LOT A DP 103527
LOT 122 DP755730
LOT 1 DP 103459
LOT 1 DP547960
LOT 1 DP 936275
LOT 127 DP755730 33.22X60.91/58.52
LOT 128 DP755730
LOT 1 DP 571326
LOT 2 DP 571326
LOT 147 DP755730
LOT 146 DP755730
LOT 148 DP755730
LOT 149 DP 755730
LOT 160 DP755730
LOT 159 DP755730
LOT 1 DP 870671
LOT 2 DP 870671

Reports from Director Corporate Services

LOT 2 DP 1002893 -
LOT 1 DP 535919
LOT 1 DP 1002893
LOT 2 DP 535919
LOT 2 DP 611868 36.26/27.43X22.665/28.93
LOT 1 DP 611868 36.5/17.99X22.665/35
LOT A DP 399999
LOT 1 DP 609206
LOT 4 DP 700324
LOT B DP 399999 32.92/30X30.51/28.93
LOT 3 DP 700324 25.43/42.62 X 24.11/44.875IRR
LOT 163 DP 755730
LOT 164 DP755730
LOT 161 DP755730
LOT 166 DP 755730
PSH NULLUM LOT 167 DP 755730
PSH NULLUM LOT 165 DP 755730
LOT 3 DP 871831
LOT 1 DP 861822
LOT 30 DP 632890
LOT 154 DP 755730 PSH NULLUM
PSH NULLUM LOT 155 DP 755730
LOT 1 DP 822828 & LOT 1 DP 263408
LOT 9 DP 263408
LOT 10 DP 263408 50X90
LOT 25 DP 263408
LOT 12 DP 263408
LOT 13 DP 263408
LOT 14 DP 263408
LOT 15 DP 263408
LOT 18 DP 263408
LOT 23 DP 263408
LOT 31 DP 632890
LOT 22 DP 263408
LOT 211 DP 263408
LOT 2 DP 817081 SUBJECT TO R O W
LOT 1 DP 876643
LOT 2 DP 876643

Reports from Director Corporate Services

LOT 20 DP 263408
LOT 1 DP 255027
LOT 1 DP 817081
LOT 3 DP 792359
LOT 2 DP 792359
LOT 1 DP 625486
LOT 4 DP 255027
LOT 5 DP 255027
LOT 6 DP 255027
LOT 7 DP 255027
LOT 2 DP 263408
LOT 7 DP 263408 67.8/IRR 116.5 X 53.02/67.10
LOT 4 DP 263408 32.45/61.635 X 94.33/94.62
LOT 5 DP 263408

(v) **Bilambil Road Sewerage Annual Charge**

A Bilambil Road Sewerage Annual Charge for all rateable land which will be serviced by the Bilambil Road Sewerage Scheme of the Tweed. A sewerage annual charge of three hundred dollars (\$300.00) in respect of any separate parcel of rateable land within the Bilambil area. The following is a description of the applicable land -

COR LOT 867 DP 32094 25.91/33.45X24.94/15.27IRR
LOT 866 DP 32094 20.12/22.17X34.29/24.94
LOT 865 DP 32094 VO 9107 FO 2 & 3
LOT 864 DP 32094 16.76/18.47X49.83/42.06
LOT 862 DP 32094 16.76X36.58
LOT 861 DP 32094
LOT 860 DP 32094
LOT 859 DP 32094 16.76X36.58
LOT 858 DP 32094
LOT 857 DP 32094 16.76X36.58
LOT 856 DP 32094 IRR16.79/16.76X36.17/36.58

(vi) **Tweed Heads Streetscaping Special Rate**

A Tweed Streetscaping Special Rate of .1516 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land –

CLOSED ROAD 33.5 X 45 X 44
COR LOTS 2/6 DP 224382 35.64/43.88 X 74.525IRR/
LOT 8 SEC 2 DP 759009 12.14/29.82 X 40.23/43.59
LOT 672 DP 755740 LOT 3 DP 520173 LOT 1 DP245697

Reports from Director Corporate Services

LOT 3 DP 110355 COR 9.14X 31.09
LOT 1 DP 306057 9.14 X 31.09
LOT A DP 313926 9.12 X 31.09
UNIT 1 STRATA PLAN 5287 BAY ST ARCADE
UNIT 2 STRATA PLAN 5287 BAY ST ARCADE
UNIT 3 STRATA PLAN 5287 BAY ST ARCADE
UNIT 4 STRATA PLAN 5287 BAY ST ARCADE
UNIT 5 STRATA PLAN 5287 BAY ST ARCADE
UNIT 6 STRATA PLAN 5287 BAY ST ARCADE
LOT 2 DP 229412 9.35X31.11
LOT 5 DP 549037
LOT 6 DP 549037 10.06X31.11
UNIT 1 STRATA PLAN 10552
UNIT 2 STRATA PLAN 10552
UNIT 3 STRATA PLAN 10552
UNIT 4 STRATA PLAN 10552
LOT 1 DP 534136
LOT 2 DP 101111 14.02 X 31.09
LOT 2 DP 525905 55'/110'8X IRR 160'7/104'7
LOT A DP 398092 6.71 X 28.04 APPT TO ROW
LOTS 3/4 DP 420750
LOT B DP 398092 SUBJ TO ROW 10.06 X 28.04
LOTS 1/2 DP 420749
LOT 7 DP 167898
COR LOTS 32/35 DP 237678 SPL COR 73.15 X 50.8
LOT 1 DP 1007168 E'MENT(S)
LOT 2 DP 1007168
LOT 4 DP 1007168
LOT 100 DP 1021860
LOT 1 DP 866236
LOT 1 DP 777183 SUBJ TO E'MENTS
LOT 1 DP 553728 24.38X37.80
LOT 1 DP 525413
UNIT 1 STRATA PLAN 14263
UNIT 2 STRATA PLAN 14263
UNIT 3 STRATA PLAN 14263
UNIT 4 STRATA PLAN 14263
UNIT 5 STRATA PLAN 14263

Reports from Director Corporate Services

LOT 52 DP 237806 12.19X36.58
LOT 53 DP 237806 12.19X36.58
LOT 54 DP 237806
LOT 55 DP 237806 12.19X36.58
LOT 56 DP 237806 12.19X36.58
LOT 57 DP 237806 12.19X36.58
LOTS 58/59 DP 237806 24.38X36.58
LOT 60 DP 237806 12.19X36.58
LOT 61 DP 237806 12.19X36.58
LOT 1 DP 549328 14.33IRR/12.12IRRX36.65/36.58
LOT 2 DP 549328 14.5/12.14X36.58/36.65
LOT 64 DP 237806 16.99X29.26/36.58 SPL COR
LOT 9 DP 964880 LOT 1 DP 303503
LOT A DP 332137 49.911 X 50.292
LOT 2 SEC 1 DP 758279 LOT B DP 332137 LOT 1
COR LOT 100 DP 775892 20.12 X 50.29
LOT 3 DP 329933
LOT 1 DP 17554 ACCESS BY R O W TO LANE
LOT 2 DP 17554 6.81X25.15 ACCESS BY 3.05
LOT 3 DP 17554 5.64/5.72 X 25.15/25.32
LOT 4 DP 17554
LOT 5 DP 17554 4.52/4.47X26.42/26.95
LOT 6 DP 17554 4.55/4.44X26.95/27.69IRR
LOT 7 DP 17554 29'9/30'XIRR90'10/93'9
COR LOTS 2 & 3 DP 519757 30.26.92IRR X 43.41/50.
LOT 1 DP 222704 14.99/15.09 X 42.98/43.31
LOT 1 DP 609342
UNIT 1 STRATA PLAN 32143
UNIT 2 STRATA PLAN 32143
UNIT 3 STRATA PLAN 32143
UNIT 4 STRATA PLAN 32143
LOTS A & B DP 373378
LOTS 1 & 2 SEC 4 DP 4570 33.35/33.2 X 40.34/39
LOT 30 SEC 4 DP 4043 LOT 1 DP 329246 LOT 2
LOT 6 SEC 4 DP 4570 LOT A DP 341926 &
LOT 1 SP 57664
LOT 2 SP 57664
LOT 3 SP 57664

Reports from Director Corporate Services

LOT 4 SP 57664
LOT 5 SP 57664
LOT 6 SP 57664
LOT 7 SP 57664
LOT 8 SP 57664
LOT 9 SP 57664
LOT 10 SP 57664
LOT 11 SP 57664
LOT 12 SP 57664
LOT 13 SP 57664
LOT 14 SP 57664
LOT 15 SP 57664
LOT 16 SP 57664
LOT 17 SP 57664
LOT 18 SP 57664
LOT 10 SEC 4 DP 4570 15.16/15.09 X 33.51/35.08
LOT 11 SEC 4 DP 4570 15.16/15.09 X 35.08/34.62
LOT 19 SEC 4 DP 4043 LOTS 12/14 SEC 4 DP 4570
LOTS 15 SEC 4 DP 4570 LOT 16 SEC 4 DP 4043
UNIT 1 STRATA PLAN 14262
UNIT 2 STRATA PLAN 14262
UNIT 3 STRATA PLAN 14262
UNIT 4 STRATA PLAN 14262
UNIT 5 STRATA PLAN 14262
UNIT 6 STRATA PLAN 14262
UNIT 7 STRATA PLAN 14262
UNIT 8 STRATA PLAN 14262
UNIT 9 STRATA PLAN 14262
UNIT 10 STRATA PLAN 14262
LOT 1 SEC 5 DP 759009 & LOT 23 DP 776673

(vii) **Kingscliff Streetscaping Special Rate**

A Kingscliff Streetscaping Special Rate of .08120 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land –

LOT 468 DP755701 SPL 69/20
LOT 1 DP 1005806
LOT 7028 DP 755701 RES 1001014
COR LOT 3 DP 520276
LOT 2 DP 520276 13.39/40.18X53.621/53.62IRR

Reports from Director Corporate Services

LOT 1 DP 520276 13.39X26.21
LOT 1 DP 169524
LOT 5 DP 169525
LOT 4 SEC 4 DP 9453 VO 4607 FO 113
LOT 3 SEC 4 DP 9453 VO 2993 FO 238
LOT 2 SEC 4 DP 9453 13.855/13.4 X 50.29/48.905
LOT 1 DP964905
LOT 2 DP 567591
LOT 1 DP 567591
LOT 31 DP 947732 VO 2524 FO 221
LOT 29 DP 979920 VO 5920 FO 7/8 12.19 X 40.23
LOT 2 DP 549719 VO 6442 FO 80
LOT A DP 374174 14.33/36.88 X 41.78/33.6
LOT B DP 372324 LOT 5 DP 24376
LOT B DP 102496 21.13/21.03X63.75/61.62 SUBJ
LOT 1 DP 573057
LOT B DP 402092 VO 7411 FO 147
LOT C DP 446443
LOT 3 DP 418672
LOT 2 DP 400977
LOT 1 DP 403158
LOT 3 DP 584765 40.36/37.19XIRR/51.77
LOT 2 DP 584765
LOT 1 DP 584765 10.07/10.06 X 51.76/51.00
LOT 1 SP 53596
LOT 2 SP 53596
LOT 3 SP 53596
LOT 4 SP 53596
LOT 5 SP 53596
LOT 1 DP 356102
LOT 17 DP 5879
LOT 2 DP 740505
LOT 1 DP 740505
LOT 2 SEC 3 DP 11315
LOT 1 SP 32450
LOT 2 SP 32450
LOT 3 SP 32450
LOT 4 SP 32450

Reports from Director Corporate Services

(viii) Koala Beach Special Rate

A Koala Beach Special Rate of .1030 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council Area. The following is a description of the applicable land -

LOT 83 DP 864094
LOT 84 DP 864094
LOT 85 DP 864094
LOT 86 DP 864094
LOT 87 DP 864094
LOT 88 DP 864094
LOT 89 DP 864094
LOT 90 DP 864094
LOT 91 DP 864094
LOT 101 DP 864095
LOT 100 DP 864095
LOT 99 DP 864095 SUBJ TO DE
LOT 98 DP 864095 SUBJ TO DE
LOT 97 DP 864095 SUBJ TO SEWER E'MENT
LOT 96 DP 864095
LOT 95 DP 864095 SUBJ TO DE
LOT 94 DP 864095 SUBJ TO DE
LOT 93 DP 864095 SUBJ TO DE
LOT 92 DP 864095 SUBJ TO SEWER E'MENT
LOT 66 DP 864094
LOT 67 DP 864094
LOT 68 DP 864094
LOT 69 DP 864094
LOT 54 DP 864094
LOT 55 DP 864094
LOT 56 DP 864094
LOT 57 DP 864094
LOT 58 DP 864094
LOT 59 DP 864094
LOT 60 DP 864094
LOTS 902 & 903 DP 1017348 SUBJ TO PIPELINE E'MT
LOT 953 DP 864092
LOT 1 DP 864093 SUBJ TO SEWER E'MENT & SUBJ TO
LOT 2 DP 864093 SUBJ TO DE
LOT 3 DP 864093

Reports from Director Corporate Services

LOT 4 DP 864093
LOT 5 DP 864093
LOT 45 DP 864094 SUBJ TO SEWER E'MENT
LOT 44 DP 864094
LOT 6 DP 864093
LOT 7 DP 864093 EASEMENT(S) SUBJ TO ROC
LOT 8 DP 864093 SUBJ TO DE & SUBJ TO ROC
LOT 9 DP 864093
LOT 10 DP 864093
LOT 11 DP 864093 SUBJ TO SEWER E'MENT
LOT 12 DP 864093 SUBJ TO SEWER E'MENT
LOT 13 DP 864093 SUBJ TO DE
LOT 14 DP 870694 SUBJ TO DRAINAGE E'MENT &
LOT 15 DP 870694 SUBJ TO DRAINAGE E'MENT &
LOT 16 DP 864093
LOT 17 DP 864093
LOT 18 DP 864093
LOT 19 DP 864093
LOT 50 DP 864094 SUBJ TO DE
LOT 49 DP 864094 SUBJ TO DE
LOT 48 DP 864094
LOT 47 DP 864094 SUBJ TO DE
LOT 46 DP 864094 SUBJ TO SEWER E'MENT
LOT 73 DP 864094
LOT 72 DP 864094
LOT 71 DP 864094
LOT 70 DP 864094
LOT 65 DP 864094
LOT 53 DP 864094
LOT 64 DP 864094
LOT 63 DP 864094
LOT 62 DP 864094
LOT 61 DP 864094 SUBJ TO DE
LOT 82 DP 864094
LOT 81 DP 864094
LOT 80 DP 864094 SUBJ TO DE
LOT 79 DP 864094
LOT 78 DP 864094

Reports from Director Corporate Services

LOT 77 DP 864094
LOT 76 DP 864094
LOT 75 DP 864094
LOT 74 DP 864094
LOT 43 DP 864094
LOT 52 DP 864094
LOT 51 DP 864094
LOT 20 DP 864093 SUBJ TO DE
LOT 21 DP 864093 SUBJ TO SEWER E'MENT
LOT 22 DP 870695 SUBJ TO DRAINAGE E'MENT
LOT 23 DP 870695 SUBJ TO SEWER E'MENT &
LOT 24 DP 870695
LOT 25 DP 870695
LOT 26 DP 870695
LOT 27 DP 870695
LOT 28 DP 870695
LOT 29 DP 870695
LOT 30 DP 864094
LOT 31 DP 864094
LOT 32 DP 864094
LOT 33 DP 864094
LOT 34 DP 864094
LOT 35 DP 864094
LOT 36 DP 864094
LOT 37 DP 864094
LOT 38 DP 864094
LOT 39 DP 864094
LOT 40 DP 864094
LOT 41 DP 864094
LOT 42 DP 864094
LOT 450 DP 1040725
LOT 451 DP 1040725
LOT 452 DP 1040725
LOT 453 DP 1040725
LOT 454 DP 1040725
LOT 455 DP 1040725
LOT 456 DP 1040725
LOT 457 DP 1040725

Reports from Director Corporate Services

LOT 458 DP 1040725

LOT 459 DP 1040725

LOT 460 DP 1040725

LOT 461 DP 1040725

LOT 462 DP 1040725

LOT 463 DP 1040725

2. In accordance with section 566(3) of the Local Government Act 1993 that the maximum rate of interest payable on overdue rates and charges be 9%.

Reports from Director Corporate Services

REPORT:

Council adopted the 2002/2005 Management Plan at its meeting of 29 May 2002. The Plan outlined Council's proposed rate structure including a General Fund notional rate increase of 3.3%. Council is now required to make the rate for 2002/2003.

1. Council adopts the following 2002/2003 Rating Statement:-

In accordance with the provisions of sections 405, 406, 493, 494, 495, 496, 501, 553 and 508 of the Local Government Act 1993, the following rates and charges be made for the year ended 30 June 2001-

(a) Ordinary Rates (section 494)

(i) Residential Rate

A Residential Rate of .7955 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Residential with a minimum rate of four hundred and sixty-five dollars and thirty cents (\$465.30) in respect of any separate parcel of rateable land.

(ii) Farmland Rate

A Farmland Rate of .4194 cents in the dollar on the rateable land value in the Tweed Shire Council area classified Farmland with a minimum rate of four hundred and sixty-five dollars and thirty cents (\$465.30) in respect of any separate parcel of rateable land.

(iii) Business Rate

A Business Rate of .7922 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Business with a minimum rate of four hundred and sixty-five dollars and thirty cents (\$465.30) in respect of any separate parcel of rateable land.

(b) Annual Charges (Section 495, 553, 501)

(i) Sewerage Annual Charge

A sewerage Annual Charge on the rateable land value of all applicable rateable land in the Tweed Shire Council area with an Annual Charge of four hundred and nineteen dollars (\$419.00) in respect of any separate parcel of rateable land.

(ii) Water Annual Charge

Residential assessments – a service charge of \$105.00

Business assessments – a service charge based on meter size being \$105.00 times the Meter Size Multiplier consumption factors as detailed in Table 1.

A volumetric charge of \$0.60 per kilolitre for all consumption.

Vacant assessments rated to water – a service charge of \$105.00.

Properties will be levied the water service charge in accordance with the Local Government Act including the description of what land may be subject to the water service charge.

Reports from Director Corporate Services

Table 1. Consumption Factors

| Consumption Scale | | Consumption Factors | | | | | | | | | | |
|-------------------|----------|---------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| kl from | kl to | Meter size (mm) | | | | | | | | | | |
| | | 20 | 25 | 32 | 40 | 50 | 80 | 100 | 150 | 200 | 250 | 300 |
| 0 | 290 | 1.000 | 0.640 | 0.391 | 0.250 | 0.160 | 0.063 | 0.040 | 0.018 | 0.010 | 0.006 | 0.004 |
| 291 | 454 | 1.000 | 1.000 | 0.610 | 0.391 | 0.250 | 0.980 | 0.063 | 0.028 | 0.016 | 0.010 | 0.007 |
| 455 | 743 | 1.000 | 1.000 | 1.000 | 0.640 | 0.410 | 0.160 | 0.102 | 0.046 | 0.026 | 0.016 | 0.011 |
| 744 | 1,160 | 1.000 | 1.000 | 1.000 | 1.000 | 0.640 | 0.250 | 0.160 | 0.071 | 0.040 | 0.026 | 0.018 |
| 1,161 | 1,814 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.391 | 0.250 | 0.111 | 0.063 | 0.040 | 0.028 |
| 1,815 | 4,640 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.640 | 0.284 | 0.160 | 0.102 | 0.071 |
| 4,641 | 7,250 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.444 | 0.250 | 0.160 | 0.111 |
| 7,251 | 16,314 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.563 | 0.360 | 0.250 |
| 16,315 | 29,000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.640 | 0.444 |
| 29,001 | 45,314 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 0.694 |
| Over 45,314 | | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 | 1.000 |

(iii) Tumbulgum Sewerage Annual Charge

A Tumbulgum Sewerage Annual Charge for all rateable land which will be serviced by the Tumbulgum Sewerage Scheme of the Tweed. A sewerage annual charge of two hundred and fifty dollars (\$250.00) in respect of any separate parcel of rateable land within the Tumbulgum area. The following is a description applicable land:-

LOTS 29 & 30 SEC 6 DP 1223
LOT 29 SEC 3 DP 1223
LOT 47 SEC 3 DP 1223
LOT 7 SEC 4 DP 1223
LOT 46 SEC 3 DP 1223
LOT 6 SEC 4 DP 1223
LOTS 44/45 SEC 3 DP 1223
LOT 5 SEC 4 DP 1223
LOT 1 DP 739552 16/20.045 X 26.355/32.805(IRR)
LOT 53 SEC 3 DP 1911
LOT 2 DP 739552 13.775/21.635 X 39.31/32.805
LOT 52 SEC 3 DP 1911
LOTS 11/12 SEC 5 DP 1223 20.12X42.9/39.01
LOT 49 DP 1911 23.93 X 25.15
LOT 50 DP 1911 23.93 X 25.15
LOT 37 SEC 3 DP 1223
LOT 36 SEC 3 DP 1223
LOTS 34/35 SEC 3 DP 1223
LOT 31 SEC 3 DP 1223
LOTS 5/6 SEC 6 DP 1223 20.12X65.38
LOT 30 SEC 3 DP 1223
LOT 9 SEC 6 DP 1223
LOT 7/8 SEC 6 DP 1223
LOT 35 SEC 2 DP 1223

Reports from Director Corporate Services

LOT 34 SEC 2 DP 1223
LOTS 32/33 SEC 2 DP 1223
LOT 10 SEC 6 DP 1223
LOT 1 DP 626425
LOTS 29/30 SEC 2 DP 1223 20.12 X 50.29
LOT 2 DP 626425
LOT 28 SEC 2 DP 1223 10.06X50.29
LOTS 26/27 SEC 2 DP 1223 20.12X50.29
LOT 25 SEC 2 DP 1223
LOT 24 SEC 2 DP 1223
LOT 37 SEC 1 DP 1223 17.68X57.73/61.75
LOT 1 DP 357241 16.08/16.33 X 75/63.7ABT
LOT 2 DP 357241 16.08/16.33 X 63.7/65.56
LOT 41 SEC 1 DP 1223
LOT 42 SEC 1 DP 1223
LOTS 43/44 SEC 1 DP 1223
LOT 45 SEC 1 DP 1223
LOT 46 SEC 1 DP 1223
LOT 47 SEC 1 DP 1223
LOT 48 SEC 1 DP 1223
LOT 49 SEC 1 DP 1223
LOT 50 SEC 1 DP 1223
LOT 51 SEC 1 DP 1223
LOT 52 SEC 1 DP 1223
LOT 53 SEC 1 DP 1223
LOT 54 SEC 1 DP 1223
LOT 55 SEC 1 DP 1223
LOTS 56/57 SEC 1 DP 1223
LOTS 58/59 SEC 1 DP 1223
LOT 60 SEC 1 DP 1223 16.48X44.86/43.23
LOT 67 SEC 6 DP 1223
LOT 68 SEC 6 DP 1223
LOT 4 SEC 6 DP 1223
LOT 3 SEC 6 DP 1223 16.08 X 32.18
LOT 2 SEC 6 DP 1223 16.08 X 32.18
LOT 23 SEC 2 DP 1223
COR LOT 1 SEC 6 DP 1223 17.09 X 32.18
LOT 22 SEC 2 DP 1223
COR LOT 36 SEC 1 DP 1223 22.35 X 32.18
LOT 21 SEC 2 DP 1223
LOT 35 SEC 1 DP 1223 14.07 X 31.27
LOT 34 SEC 1 DP 1223 14.07/21.11X32.97/32.18
LOT 33 SEC 1 DP 1223 10.0L X 40.84/39.42
LOT 31 SEC 6 DP 1223
LOT 61 SEC 1 DP 1223
LOT 8 SEC 4 DP 1223
LOT 9 SEC 4 DP 1223 18.49 X 35.38

Reports from Director Corporate Services

LOT 5 SEC 7 DP 1223
LOT 4 SEC 4 DP 1223
LOTS 3/4 SEC 7 DP 1223
LOT 2 SEC 4 DP 1223
COR LOT 1 SEC 4 DP 1223
COR LOTS 15/18 SEC 5 DP 1223 40.23 X 40.23
LOT 28 SEC 3 DP 1223
LOT 2 DP 839857
LOT 1 DP 839857
LOT 30 DP 240589
LOT 57 SEC 6 DP 1223
COR LOT 1 SEC 7 DP 1223 20.12 X 30.18
LOTS 6/7 SEC 7 DP 1223
LOT 105 107 DP 1011315
LOTS 64/66 SEC 6 DP 1223
LOT 63 SEC 6 DP 12233
LOT 62 SEC 6 DP 1223
LOTS 60 & 61 SEC 6 DP 1223
LOT 59 SEC 6 DP 1223
LOT 58 SEC 6 DP 1223
LOTS 55/56 SEC 6 DP 1223
LOT 63 & 30/31 SEC 1 DP 1223
LOT 17 SEC 2 DP 1223
LOT 18 SEC 1 DP 1223
LOT 1 DP 574621
LOTS 25/27 SEC 3 DP 1223 41.22/16.48X50.29/52.5
LOT 24 SEC 3 DP 1223 10.06X50.29
LOTS 22/23 SEC 3 DP 1223 20.12X50.29
LOT 21 SEC 3 DP 1223 10.06X50.29
LOTS 18/20 SEC 3 DP 1223 30.18X50.29
LOT 55 DP 1911
LOT 54 DP 1911
LOT 12 SEC 3 DP 1223 LOT 48 DP 1911
LOT 11 SEC 3 DP 1223
LOTS 9/10 SEC 3 DP 1223
LOTS 7/8 SEC 3 DP 1223
LOT 6 SEC 3 DP 1223 18.29/8.23X50.29
LOT 5 SEC 3 DP 1223 10.06X50.29
LOT 2 DP 584974
LOT 1 DP 584974
LOT 2 DP 563652
LOTS 6 & 7 DP 1223 SEC 2
LOT 8 SEC 2 DP 1223
LOTS 9/10 SEC 2 DP 1223 20.12X54.31/55.32
LOT 40 DP 812273
LOT 41 DP 812273
LOT 15 SEC 2 DP 1223 10.06X52.1/52.5

Reports from Director Corporate Services

LOT 16 SEC 2 DP 1223
LOT 18 SEC 2 DP 1223 & LOT 1 DP 624442
LOT 201 DP 865762
LOT 3 DP 799347
LOT 2 DP 799347
LOTS 5 & 6 SEC 1 DP 1223
LOT 4 SEC 1 DP 1223
LOTS 9-13 SEC 1 DP 1223
LOT 14 SEC 1 DP 1223 10.06X59.94/49.07
LOT 15 SEC 1 DP 1223
LOT 16 SEC 1 DP 1223
LOT 17 DP SEC 1 DP 1223
LOT 19 SEC 1 DP 1223
LOTS 20/21 SEC 1 DP 1223 20.12X58.04/58.72
LOTS 24/25 SEC 1 DP1223 20.12X55.32/56.72
LOT 26 SEC 1 DP 1223 10.06X55.32/54.71
LOT 27 SEC 1 DP 1223
LOTS 28/29 SEC 1 DP 1223

(iv) Uki Sewerage Annual Charge

A Uki Sewerage Annual Charge for all rateable land which will be serviced by the Uki Scheme of the Tweed. A sewerage annual charge of three hundred dollars (\$300.00) in respect of any separate parcel of rateable land within the Uki area. The following is a description of the applicable land -

LOT 240 DP 729473
LOT 2 DP 731343
LOT 1 DP 731343
LOT 1 DP 709540 & LOT 241 DP 729473
LOTS 153 170 DP 755730
LOT 171 DP755730
LOT 152 DP755730
LOT 173 DP755730
LOT 150 DP 719951
LOT 1 DP 774800
LOT 2 DP 973705
LOT 31 D.P. 624684
LOT 2 DP400980 21.62/17.86X29.79/32.99
LOT 1 DP 661876
PT LOT 183 DP 755730
LOT A & PT LOT B DP385579 18.47/9.37X57.12/56.49
LOT A DP971647 18.29X40.23
LOT B DP970550 18.29X40.23
LOT 1 DP400980 3.66/18.75X52.86/71.27 IRR
LOT 233 DP 721129
LOT 232 DP 721129
LOTS 7/8 DP 8107 33.83/34.08X33.68/38.22
LOTS 4/5 DP 8107 90/27.64X28.5/31.85

Reports from Director Corporate Services

LOT 3 DP 8107 10.97/11.05X27.15/28.5
LOTS 1/2 DP 8107 39.62/43.84X10.06/27.15
LOT 12 DP 829544
LOT 9 DP 825218 LOTS 11-12 DP 838447
LOTS 1-6 DP 7188 LOTS 2-3 SEC 2 DP 10909 &
PH NULLUM LOT 4 SEC 1 DP10909
LOT 3 DP 814658 SUBJECT TO DRAINAGE EASEMENT
LOT 11 D.P. 618030
LOT 10 D.P.618030 18.83/19.165 X 37/39.045
LOT 7 SEC 1 DP 10909 PARISH NULLUM
PSH NULLUM LOT 8 SEC 1 DP 10909 38.4 FTGE
LOT B DP 369388
LOT A DP 369388
LOT 2 DP 549954
PSH NULLUM LOT 1 SEC 3 DP 11045
PARISH NULLUM LOT 9 DP 778348
LOT 4 SEC 3 DP 11045
LOT 10 DP 825218 SUBJ TO DRAINAGE E'MENT
LOT 12 DP 618030
LOT 2/3 SEC 3 DP 11045
LOT 5 SEC 3 DP 11045
LOT 6 SEC 3 DP 11045
LOT B DP 103527 & LOT 235 DP 727458
LOT A DP 103527
LOT 122 DP755730
LOT 1 DP 103459
LOT 1 DP547960
LOT 1 DP 936275
LOT 127 DP755730 33.22X60.91/58.52
LOT 128 DP755730
LOT 1 DP 571326
LOT 2 DP 571326
LOT 147 DP755730
LOT 146 DP755730
LOT 148 DP755730
LOT 149 DP 755730
LOT 160 DP755730
LOT 159 DP755730
LOT 1 DP 870671
LOT 2 DP 870671
LOT 2 DP 1002893 -
LOT 1 DP 535919
LOT 1 DP 1002893
LOT 2 DP 535919
LOT 2 DP 611868 36.26/27.43X22.665/28.93
LOT 1 DP 611868 36.5/17.99X22.665/35
LOT A DP 399999

Reports from Director Corporate Services

LOT 1 DP 609206
LOT 4 DP 700324
LOT B DP 399999 32.92/30X30.51/28.93
LOT 3 DP 700324 25.43/42.62 X 24.11/44.875IRR
LOT 163 DP 755730
LOT 164 DP755730
LOT 161 DP755730
LOT 166 DP 755730
PSH NULLUM LOT 167 DP 755730
PSH NULLUM LOT 165 DP 755730
LOT 3 DP 871831
LOT 1 DP 861822
LOT 30 DP 632890
LOT 154 DP 755730 PSH NULLUM
PSH NULLUM LOT 155 DP 755730
LOT 1 DP 822828 & LOT 1 DP 263408
LOT 9 DP 263408
LOT 10 DP 263408 50X90
LOT 25 DP 263408
LOT 12 DP 263408
LOT 13 DP 263408
LOT 14 DP 263408
LOT 15 DP 263408
LOT 18 DP 263408
LOT 23 DP 263408
LOT 31 DP 632890
LOT 22 DP 263408
LOT 211 DP 263408
LOT 2 DP 817081 SUBJECT TO R O W
LOT 1 DP 876643
LOT 2 DP 876643
LOT 20 DP 263408
LOT 1 DP 255027
LOT 1 DP 817081
LOT 3 DP 792359
LOT 2 DP 792359
LOT 1 DP 625486
LOT 4 DP 255027
LOT 5 DP 255027
LOT 6 DP 255027
LOT 7 DP 255027
LOT 2 DP 263408
LOT 7 DP 263408 67.8/IRR 116.5 X 53.02/67.10
LOT 4 DP 263408 32.45/61.635 X 94.33/94.62
LOT 5 DP 263408

Reports from Director Corporate Services

(v) Bilambil Road Sewerage Annual Charge

A Bilambil Road Sewerage Annual Charge for all rateable land which will be serviced by the Bilambil Road Sewerage Scheme of the Tweed. A sewerage annual charge of three hundred dollars (\$300.00) in respect of any separate parcel of rateable land within the Bilambil area. The following is a description of the applicable land -

COR LOT 867 DP 32094 25.91/33.45X24.94/15.27IRR
LOT 866 DP 32094 20.12/22.17X34.29/24.94
LOT 865 DP 32094 VO 9107 FO 2 & 3
LOT 864 DP 32094 16.76/18.47X49.83/42.06
LOT 862 DP 32094 16.76X36.58
LOT 861 DP 32094
LOT 860 DP 32094
LOT 859 DP 32094 16.76X36.58
LOT 858 DP 32094
LOT 857 DP 32094 16.76X36.58
LOT 856 DP 32094 IRR16.79/16.76X36.17/36.58

(vi) Tweed Heads Streetscaping Special Rate

A Tweed Streetscaping Special Rate of .1516 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land -

CLOSED ROAD 33.5 X 45 X 44
COR LOTS 2/6 DP 224382 35.64/43.88 X 74.525IRR/
LOT 8 SEC 2 DP 759009 12.14/29.82 X 40.23/43.59
LOT 672 DP 755740 LOT 3 DP 520173 LOT 1 DP245697
LOT 3 DP 110355 COR 9.14X 31.09
LOT 1 DP 306057 9.14 X 31.09
LOT A DP 313926 9.12 X 31.09
UNIT 1 STRATA PLAN 5287 BAY ST ARCADE
UNIT 2 STRATA PLAN 5287 BAY ST ARCADE
UNIT 3 STRATA PLAN 5287 BAY ST ARCADE
UNIT 4 STRATA PLAN 5287 BAY ST ARCADE
UNIT 5 STRATA PLAN 5287 BAY ST ARCADE
UNIT 6 STRATA PLAN 5287 BAY ST ARCADE
LOT 2 DP 229412 9.35X31.11
LOT 5 DP 549037
LOT 6 DP 549037 10.06X31.11
UNIT 1 STRATA PLAN 10552
UNIT 2 STRATA PLAN 10552
UNIT 3 STRATA PLAN 10552
UNIT 4 STRATA PLAN 10552
LOT 1 DP 534136
LOT 2 DP 101111 14.02 X 31.09
LOT 2 DP 525905 55'/110'8X IRR 160'7/104'7
LOT A DP 398092 6.71 X 28.04 APPT TO ROW
LOTS 3/4 DP 420750

Reports from Director Corporate Services

LOT B DP 398092 SUBJ TO ROW 10.06 X 28.04
LOTS 1/2 DP 420749
LOT 7 DP 167898
COR LOTS 32/35 DP 237678 SPL COR 73.15 X 50.8
LOT 1 DP 1007168 E'MENT(S)
LOT 2 DP 1007168
LOT 4 DP 1007168
LOT 100 DP 1021860
LOT 1 DP 866236
LOT 1 DP 777183 SUBJ TO E'MENTS
LOT 1 DP 553728 24.38X37.80
LOT 1 DP 525413
UNIT 1 STRATA PLAN 14263
UNIT 2 STRATA PLAN 14263
UNIT 3 STRATA PLAN 14263
UNIT 4 STRATA PLAN 14263
UNIT 5 STRATA PLAN 14263
LOT 52 DP 237806 12.19X36.58
LOT 53 DP 237806 12.19X36.58
LOT 54 DP 237806
LOT 55 DP 237806 12.19X36.58
LOT 56 DP 237806 12.19X36.58
LOT 57 DP 237806 12.19X36.58
LOTS 58/59 DP 237806 24.38X36.58
LOT 60 DP 237806 12.19X36.58
LOT 61 DP 237806 12.19X36.58
LOT 1 DP 549328 14.33IRR/12.12IRRX36.65/36.58
LOT 2 DP 549328 14.5/12.14X36.58/36.65
LOT 64 DP 237806 16.99X29.26/36.58 SPL COR
LOT 9 DP 964880 LOT 1 DP 303503
LOT A DP 332137 49.911 X 50.292
LOT 2 SEC 1 DP 758279 LOT B DP 332137 LOT 1
COR LOT 100 DP 775892 20.12 X 50.29
LOT 3 DP 329933
LOT 1 DP 17554 ACCESS BY R O W TO LANE
LOT 2 DP 17554 6.81X25.15 ACCESS BY 3.05
LOT 3 DP 17554 5.64/5.72 X 25.15/25.32
LOT 4 DP 17554
LOT 5 DP 17554 4.52/4.47X26.42/26.95
LOT 6 DP 17554 4.55/4.44X26.95/27.69IRR
LOT 7 DP 17554 29'9/30'XIRR90'10/93'9
COR LOTS 2 & 3 DP 519757 30.26.92IRR X 43.41/50.
LOT 1 DP 222704 14.99/15.09 X 42.98/43.31
LOT 1 DP 609342
UNIT 1 STRATA PLAN 32143
UNIT 2 STRATA PLAN 32143
UNIT 3 STRATA PLAN 32143

Reports from Director Corporate Services

UNIT 4 STRATA PLAN 32143
LOTS A & B DP 373378
LOTS 1 & 2 SEC 4 DP 4570 33.35/33.2 X 40.34/39
LOT 30 SEC 4 DP 4043 LOT 1 DP 329246 LOT 2
LOT 6 SEC 4 DP 4570 LOT A DP 341926 &
LOT 1 SP 57664
LOT 2 SP 57664
LOT 3 SP 57664
LOT 4 SP 57664
LOT 5 SP 57664
LOT 6 SP 57664
LOT 7 SP 57664
LOT 8 SP 57664
LOT 9 SP 57664
LOT 10 SP 57664
LOT 11 SP 57664
LOT 12 SP 57664
LOT 13 SP 57664
LOT 14 SP 57664
LOT 15 SP 57664
LOT 16 SP 57664
LOT 17 SP 57664
LOT 18 SP 57664
LOT 10 SEC 4 DP 4570 15.16/15.09 X 33.51/35.08
LOT 11 SEC 4 DP 4570 15.16/15.09 X 35.08/34.62
LOT 19 SEC 4 DP 4043 LOTS 12/14 SEC 4 DP 4570
LOTS 15 SEC 4 DP 4570 LOT 16 SEC 4 DP 4043
UNIT 1 STRATA PLAN 14262
UNIT 2 STRATA PLAN 14262
UNIT 3 STRATA PLAN 14262
UNIT 4 STRATA PLAN 14262
UNIT 5 STRATA PLAN 14262
UNIT 6 STRATA PLAN 14262
UNIT 7 STRATA PLAN 14262
UNIT 8 STRATA PLAN 14262
UNIT 9 STRATA PLAN 14262
UNIT 10 STRATA PLAN 14262
LOT 1 SEC 5 DP 759009 & LOT 23 DP 776673

(vii) Kingscliff Streetscaping Special Rate

A Kingscliff Streetscaping Special Rate of .08120 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land

LOT 468 DP755701 SPL 69/20
LOT 1 DP 1005806
LOT 7028 DP 755701 RES 1001014

Reports from Director Corporate Services

COR LOT 3 DP 520276
LOT 2 DP 520276 13.39/40.18X53.621/53.62IRR
LOT 1 DP 520276 13.39X26.21
LOT 1 DP 169524
LOT 5 DP 169525
LOT 4 SEC 4 DP 9453 VO 4607 FO 113
LOT 3 SEC 4 DP 9453 VO 2993 FO 238
LOT 2 SEC 4 DP 9453 13.855/13.4 X 50.29/48.905
LOT 1 DP964905
LOT 2 DP 567591
LOT 1 DP 567591
LOT 31 DP 947732 VO 2524 FO 221
LOT 29 DP 979920 VO 5920 FO 7/8 12.19 X 40.23
LOT 2 DP 549719 VO 6442 FO 80
LOT A DP 374174 14.33/36.88 X 41.78/33.6
LOT B DP 372324 LOT 5 DP 24376
LOT B DP 102496 21.13/21.03X63.75/61.62 SUBJ
LOT 1 DP 573057
LOT B DP 402092 VO 7411 FO 147
LOT C DP 446443
LOT 3 DP 418672
LOT 2 DP 400977
LOT 1 DP 403158
LOT 3 DP 584765 40.36/37.19XIRR/51.77
LOT 2 DP 584765
LOT 1 DP 584765 10.07/10.06 X 51.76/51.00
LOT 1 SP 53596
LOT 2 SP 53596
LOT 3 SP 53596
LOT 4 SP 53596
LOT 5 SP 53596
LOT 1 DP 356102
LOT 17 DP 5879
LOT 2 DP 740505
LOT 1 DP 740505
LOT 2 SEC 3 DP 11315
LOT 1 SP 32450
LOT 2 SP 32450
LOT 3 SP 32450
LOT 4 SP 32450

(viii) Koala Beach Special Rate

A Koala Beach Special Rate of .1030 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land -

Reports from Director Corporate Services

LOT 101 DP 864095
LOT 83 DP 864094
LOT 100 DP 864095
LOT 84 DP 864094
LOT 99 DP 864095 SUBJ TO DE
LOT 85 DP 864094
LOT 98 DP 864095 SUBJ TO DE
LOT 86 DP 864094
LOT 97 DP 864095 SUBJ TO SEWER E'MENT
LOT 87 DP 864094
LOT 96 DP 864095
LOT 88 DP 864094
LOT 95 DP 864095 SUBJ TO DE
LOT 89 DP 864094
LOT 94 DP 864095 SUBJ TO DE
LOT 90 DP 864094
LOT 93 DP 864095 SUBJ TO DE
LOT 91 DP 864094
LOT 92 DP 864095 SUBJ TO SEWER E'MENT
LOT 69 DP 864094
LOT 68 DP 864094
LOT 67 DP 864094
LOT 66 DP 864094
LOT 903 DP 1017348
LOT 44 DP 864094
LOT 60 DP 864094
LOT 45 DP 864094 SUBJ TO SEWER E'MENT
LOT 59 DP 864094
LOT 58 DP 864094
LOT 5 DP 864093
LOT 57 DP 864094
LOT 4 DP 864093
LOT 56 DP 864094
LOT 3 DP 864093
LOT 55 DP 864094
LOT 2 DP 864093 SUBJ TO DE
LOT 54 DP 864094
LOT 1 DP 864093 SUBJ TO SEWER E'MENT & SUBJ TO
LOT 7 DP 864093 EASEMENT(S) SUBJ TO ROC
LOT 19 DP 864093
LOT 14 DP 870694 SUBJ TO DRAINAGE E'MENT &
LOT 15 DP 870694 SUBJ TO DRAINAGE E'MENT &
LOT 46 DP 864094 SUBJ TO SEWER E'MENT
LOT 6 DP 864093
LOT 47 DP 864094 SUBJ TO DE
LOT 48 DP 864094
LOT 8 DP 864093 SUBJ TO DE & SUBJ TO ROC

Reports from Director Corporate Services

LOT 49 DP 864094 SUBJ TO DE
LOT 9 DP 864093
LOT 50 DP 864094 SUBJ TO DE
LOT 10 DP 864093
LOT 11 DP 864093 SUBJ TO SEWER E'MENT
LOT 12 DP 864093 SUBJ TO SEWER E'MENT
LOT 13 DP 864093 SUBJ TO DE
LOT 16 DP 864093
LOT 17 DP 864093
LOT 18 DP 864093
LOT 53 DP 864094
LOT 73 DP 864094
LOT 72 DP 864094
LOT 61 DP 864094 SUBJ TO DE
LOT 71 DP 864094
LOT 62 DP 864094
LOT 70 DP 864094
LOT 63 DP 864094
LOT 65 DP 864094
LOT 64 DP 864094
LOT 902 DP 1017348
LOT 953 DP 864092
LOT 22 DP 870695 SUBJ TO DRAINAGE E'MENT
LOT 23 DP 870695 SUBJ TO SEWER E'MENT &
LOT 24 DP 870695
LOT 26 DP 870695
LOT 27 DP 870695
LOT 28 DP 870695
LOT 29 DP 870695
LOT 25 DP 870695
LOT 80 DP 864094 SUBJ TO DE
LOT 20 DP 864093 SUBJ TO DE
LOT 21 DP 864093 SUBJ TO SEWER E'MENT
LOT 30 DP 864094
LOT 31 DP 864094
LOT 32 DP 864094
LOT 33 DP 864094
LOT 34 DP 864094
LOT 35 DP 864094
LOT 36 DP 864094
LOT 37 DP 864094
LOT 38 DP 864094
LOT 39 DP 864094
LOT 40 DP 864094
LOT 41 DP 864094
LOT 42 DP 864094
LOT 43 DP 864094

Reports from Director Corporate Services

LOT 51 DP 864094
LOT 52 DP 864094
LOT 74 DP 864094
LOT 75 DP 864094
LOT 76 DP 864094
LOT 77 DP 864094
LOT 78 DP 864094
LOT 79 DP 864094
LOT 81 DP 864094
LOT 82 DP 864094
LOT 450 DP 1040725
LOT 451 DP 1040725
LOT 452 DP 1040725
LOT 453 DP 1040725
LOT 454 DP 1040725
LOT 455 DP 1040725
LOT 456 DP 1040725
LOT 457 DP 1040725
LOT 458 DP 1040725
LOT 459 DP 1040725
LOT 460 DP 1040725
LOT 461 DP 1040725
LOT 462 DP 1040725
LOT 463 DP 1040725

2. In accordance with section 566(3) of the Local Government Act 1993 that the maximum rate of interest payable on overdue rates and charges be 9%.
-

Reports from Director Corporate Services

THIS
PAGE
THIS
PAGE
IS
BLANK
IS
BLANK

Reports from Director Corporate Services

9. ORIGIN: Director
FILE REF: Councillors - Conferences

REPORT TITLE:

Australian Local Government Women's National Bi-Annual Conference - 2002

SUMMARY OF REPORT:

The Australian Local Government Women's Association National Bi-Annual Conference is to be held from Wednesday, 30 October to Friday, 1 November 2002 in Launceston, Tasmania. The conference is titled 'Corridors of Change'.

RECOMMENDATION:

That:

1. Council authorises the attendance of any Councillor/s to the 2002 Australian Local Government Women's Association National Bi-Annual Conference to be held in Launceston, Tasmania from Wednesday, 30 October to Friday, 1 November 2002.
2. The Mayor's Secretary arranges the registration of interested Councillors.

Reports from Director Corporate Services

REPORT:

The 2002 Australian Local Government Women's Association National Bi-Annual Conference is to be held in Launceston, Tasmania. The conference will commence on Wednesday, 30 October and concludes on Friday evening, 1 November 2002. The conference's theme is 'Corridors of Change' with four major streams of exploring changing relationships between Council's and their communities, elected members and their organisations, the culture of local government and professional development.

Details of the conference program and associated activities are as follows:

PRELIMINARY CONFERENCE PROGRAM

Wednesday, 30 October

Registration and Welcome Reception – The Design Centre of Tasmania

Remainder of evening free to explore Launceston

Tuesday, 31 October

Official Opening

Presentations

Lyn Mason – President Local Government Association of Tasmania

Natasha Stott Despoja – Leader of the Australian Democrats

Lyn Russell – CEO, Thuringowa City Council, Queensland

Marguerite Scott – Director, Local Government Division, Tasmania

Kate Kent – Director of the Policy Division Tasmanian Department of Premier and Cabinet

Bob Campbell – General Manager, Launceston City Council

Lynda Jones – Marketing Manager, Launceston City Council

Dinner

Launceston's Cataract Gorge

Friday, 1 November

Breakfast

Mary Binks – Mayor, City of Devonport

Presentations

Dr Penny Burns – Director, AMQ International and editor Strategic Asset Management

Dr Gillian Kay – Kingston City Council, Victoria and iNFRAMAX

Ngairie McCrindle – George Town Council

Dr Natalie Jackson – Lecturer, Social Demography University of Tasmania

Louise Savage – International Female Wheelchair Athlete of the Year 2000

AGM

Reports from Director Corporate Services

SOCIAL FUNCTIONS

Welcome Reception

6.30-8.30pm, Wednesday, 30 October 2002

Design Centre Tasmania – A Centre for Excellence for Tasmanian Wood Design

Costs: Full Delegates (included in registration fee)
Guests - \$30 per person

Conference Dinner

7.00-11.00pm, Thursday, 31 October 2002

Cataract Gorge

Costs: Full delegates (included in registration fee)
Guests - \$65 per person

Conference Breakfast

8.00am, Friday, 1 November 2002

A venue overlooking City Park

Cost: Full delegates (included in registration fee)
Guests - \$25 per person

PARTNERS' TOURS

Thursday, 31 October – Full Day Tour

Cradle Mountain Wilderness Day Tour - \$79 per person

Friday, 1 November – Full Day Tour

Tamar Wine Trail - \$60 per person

FINANCIAL IMPLICATIONS

| | |
|----------------------------------|---------------------------|
| Registration fee after 23/9/02 | \$480.00 |
| Full early member before 23/9/02 | \$450.00 |
| Accommodation (3 nights @ \$139) | \$417.00 |
| Airfares | \$1050.45 (approximately) |
| Budget allocation for 2002/2003 | \$31,000.00 |

Reports from Director Corporate Services

THIS
PAGE
THIS
PAGE
IS
BLANK
IS
BLANK

Reports from Director Corporate Services

10. ORIGIN: Director

FILE REF: Acid Sulfate Soils; Councillors - Conferences

REPORT TITLE:

Fifth World Annual Acid Sulfate Soil Conference

SUMMARY OF REPORT:

Council at its meeting 7 November 2001 authorised the attendance of Councillors at the conference to be held at Twin Towns Services Club, Tweed Heads between 25 and 30 August 2002.

Council's resolution indicated that Councillors Boyd and Marshall were interested in attending.

Cr Marshall has requested that Council meet her accommodation costs for the four (4) days of the conference. A copy of the program is attached.

RECOMMENDATION:

That Council determines the matter.

Reports from Director Corporate Services

REPORT:

As per summary of report.

Reports from Director Corporate Services

11. ORIGIN: Administration Services Unit

FILE REF: Councillors - Conferences

REPORT TITLE:

Local Government Managers Australia (LGMA) NSW Division 2002 Annual Conference – 31 July to 3 August 2002

SUMMARY OF REPORT:

The Local Government Managers Australia (LGMA) NSW Division has provided the interim program for the 2002 Annual Conference to be held in Newcastle from 31 July to 3 August 2002. An updated program will be available and sent out early July.

RECOMMENDATION:

That:

1. Council authorises the attendance of any Councillor/s to the 2002 Annual Conference of Local Government Managers Australia (LGMA) NSW Division to be held in Newcastle from 31 July to 3 August 2002.
2. The Mayor's Secretary arranges the registration of interested Councillors.

Reports from Director Corporate Services

REPORT:

The Local Government Managers Australia (LGMA) NSW Division has provided the interim registration details for the 2002 Annual Conference to be held in Newcastle from 31 July to 3 August 2002 (refer below):

DAY 1 – WEDNESDAY, 31 JULY

3.00pm – 5.00pm Registration – Delegates and Partners, Club Nova

6.30pm – 9.30pm **Welcoming Function**
Harbourview Function Centre, Queens Wharf

DAY 2 – THURSDAY, 1 AUGUST

From 8.00am Registration – Delegates and Partners

From 8.50am Children’s Choir from the Hunter School of Performing Arts will perform on stage in the auditorium for the entertainment of Delegates, Partners and Guests and commence the conference proceedings with the National Anthem.

9.00am **Welcome and Presidential Address**
Gerry Brus, President LGMA, NSW Division
Trevor Starr, LGMA National President
The Hon Harry Woods, MP, Minister for Local Government

9.35am **Keynote Address**
Janine Shepherd – “Never Tell Me Never” – An Olympic prospect before a horrific road accident, Janine’s story of winning against all odds is inspiring – title of her book and today’s presentation, says it all.

10.30am **Morning Tea**

11.00am **Confronting the Critical Issues: Spotlight on the Future -FORUM**

Facilitator: John Kleem

The Forum Panel will consist of:

Graham Samson, Director of Centre for Local Government, UTS

Terry Barnes, General Manager Parramatta City Council

Carol Proctor, Executive Director, South Australian Office of Local Government (to be confirmed)

Dr John Martin, RMIT (to be confirmed)

12.20pm **Launch of Professional Development Program – Centre for Local Government**

12.35pm– 2.00pm **Official Opening of Exhibition and Lunch**

1.30pm – 2.00pm Presentation by Local Government Superannuation Scheme – topic to be announced.

Reports from Director Corporate Services

★Lunch and Presentation sponsored by Local Government Superannuation Scheme

- 2.00pm** **Local Government in Disrepute? - FORUM**
Facilitated by Jane Singleton (to be confirmed)
Panel:
Grant Poulton, Executive Director Corruption Prevention – Education, ICAC
Cr Chris Bowen, Fairfield (to be confirmed)
David Jesson, General Manager, Bega Valley Council (to be confirmed)
- 3.00pm** **Afternoon Tea**
- 3.15pm – 4.00pm** **Keynote Speaker**
Chris Johnson, NSW Government Architect
- 4.00pm – 4.40pm** **Developing Sustainable and Vibrant Communities**
Janet Dore, General Manager, Newcastle City Council
- 4.30pm – 4.50pm** **It's All Done With Mirrors - An innovative and entertaining reflection on the Conference presentations and outcomes. Featuring "No Dramas".**
- 5.00pm** **Annual General Meeting, LGMA NSW Division**
- 6.30pm** Pre-Dinner Drinks, Meeting Place
- 7.30pm-11.30pm** Annual Dinner and Presentation of 2002 Local Government LGMA/Sydney Morning Herald Management Excellence Awards – The Auditorium, Club Nova. Our Master of Ceremonies this evening is Michael Gregory, from "No Dramas".

DAY 3 – FRIDAY, 2 AUGUST

- From 8.00am** Registration – Delegates and Partners, Club Nova
- 9.00am** **Keynote Speaker**
Glen Wheatley – "To the Brink and Back" – How to be a successful manager, how to build on failures and successes, how can we learn from his experiences in business.
- 9.45am** **Communities of the Future - Forum**
Facilitated by Craig Shepherd
- 10.45am** **Morning Tea**
- 11.00am** **Concurrent Sessions**
Session 1: Finance Professionals
Facilitated by Michael Sewell, Campbelltown City Council
Session 2: Governance Network
Facilitated by Mitchell Morley, Liverpool City Council

Reports from Director Corporate Services

Session 3: Young Managers

Facilitated by (to be advised)

Session 4: International Focus

Facilitated by Greg Smith, General Manager, Yass Council

12.30pm

Lunch

2.00pm

Keynote Speaker

Dick Johnson – is Australia's most successful Touring Car driver of the past decade and will speak on Team Building, the will to win, overcoming adversity and dealing with competition.

3.00pm

“Legal Pot Pourri” - Legal Issues for the New Century

Facilitated by Margie O'Tarpey, CEO, LGMA

Panel:

Chris Drury, Phillips Fox, to convene

3.45pm

Afternoon Tea

4.00pm

It's All Done With Mirrors - An innovative and entertaining reflection on the Conference presentations and outcomes. Featuring “No Dramas”

4.30pm

Close of Conference proceedings

5.00-6.00 pm

Happy Hour

The concluding Happy Hour will feature the drawing of all the Trade Exhibitor prizes.

7.30pm

Seafood Dinner at Noahs on the Beach

(Optional Extra for Delegates, Partners, Sponsors, Exhibitors)

FINANCIAL IMPLICATIONS

| | |
|---------------------------------|--|
| Registration fee (full program) | \$675.00 |
| Accommodation | \$130.00 - \$165.00 per night per room |
| Airfares | \$314.96-\$420.21 (approximately) |
| Budget allocation for 2002/2003 | \$31,000.00 |

Reports from Director Corporate Services

12. ORIGIN: Administration Services Unit

FILE REF: Councillors - Conferences

REPORT TITLE:

State Assembly of Local Government - 22 to 23 July 2002

SUMMARY OF REPORT:

The NSW State Assembly of Local Government will be held from 22 to 23 July 2002 at the Millennium Hotel, Sydney. The Assembly will focus on two issues of critical importance to Local Government – Integrated Transport Strategy and Regional Infrastructure Management (regional governance). A copy of the program has been provided.

RECOMMENDATION:

That:

1. Council authorises the attendance of any Councillor/s to the State Assembly of Local Government to be held in Sydney from 22 to 23 July 2002.
2. The Mayor's Secretary arranges the registration of interested Councillors

Reports from Director Corporate Services

REPORT:

The NSW State Assembly of Local Government will be held from 22 to 23 July 2002 at the Millennium Hotel, Sydney.

The 2002 State Assembly is titled, 'United we Stand: Sydney AND the Bush – Integration and Whole of State Development'.

The Assembly will focus on two very topical, controversial and important themes for Local Government:

- Towards an Integrated Transport Strategy
- New Regional Approaches to Infrastructure Management – the case for empowerment of Local Government within new models of regional management.

The preliminary program is:

DAY 1 – MONDAY, 22 JULY – TOWARDS AN INTEGRATED TRANSPORT STRATEGY

Welcome Address

1. Integrated Transport Strategies: The Federal Government View – Department of Transport and Regional Services

- AusLink
- Whole of State Development / Inter-governmental Funding Implications

2. Integrated Transport Strategies: A Private Sector View

- Chris Corrigan, Managing Director, Patrick Corporation

Morning Tea

Panel Discussion: Integrated Transport Strategy – Integrated Land Use and Planning

- Susan Holliday, Director General Planning NSW
- Michael Deegan, Director General Transport NSW
- Bob Meyer, Director Planning Cox Richardson Architects and Planners

Lunch

Panel Discussion: Integrated Transport – the Role of the Road, Rail and Intermodal Solutions in Whole of State Development

- Barry Moore, National Road Transport Commission
- Everard Compton AM, Inland Rail Expressway Project
- Terry Dene, NSW Road Transport Association
- A/Prof Philip Laird, University of Wollongong

Afternoon Tea

Integrating Transport, Planning and Local Government

- Prof Lyndsay Neilson, Secretary, Victorian Department of Infrastructure

Reports from Director Corporate Services

Summing up of Day One

State Assembly Dinner

DAY 2 – TUESDAY, 23 JULY – NEW REGIONAL APPROACHES TO INFRASTRUCTURE MANAGEMENT

Opening

- Premier Bob Carr MP (tbc)
- Opposition Leader John Brogden (tbc)

Morning Tea

Regional Economic Governance

- Prof Bill Randolph, Urban Frontiers Program, UWS
- Dr Brendan Gleeson
- Graham Larcombe, Liverpool City Council (formerly of National Economics)

Presentations followed by open forum with panel.

Conclusion

Lunch

The primary objective of the Assembly is to promote constructive dialogue on these issues across Local Government, between spheres of government and with business and the community. Both days include expert presentations and provide open forums for participation by Assembly delegates.

The registration fee for the Assembly is \$460.00 (inclusive of GST). This includes a dinner function on the Monday night.

FINANCIAL IMPLICATIONS

| | |
|---------------------------------|--|
| Registration fee | \$460.00 |
| Accommodation | \$130.00 - \$165.00 per night per room |
| Airfares | \$440.79 (approximately) |
| Budget allocation for 2002/2003 | \$31,000.00 |

Reports from Director Corporate Services

THIS
PAGE
THIS
PAGE
IS
BLANK
IS
BLANK

Reports from Director Corporate Services

13. ORIGIN: Director

FILE REF: Councillors - Conferences

REPORT TITLE:

Inaugural Companion Animals Conference - August 2002

SUMMARY OF REPORT:

The Inaugural Companion Animals Conference is to be held on Thursday, 1 August 2002 at Warwick Farm, Sydney. The conference will be co-hosted by the NSW Department of Local Government, Companion Animals Advisory Board and Local Government Rangers' Institute.

RECOMMENDATION:

That:

1. Council authorises the attendance of Councillor Wendy Marshall to the 2002 Companion Animals Conference to be held in Warwick Farm, Sydney on 1 August 2002.
2. The Mayor's Secretary arranges the registration of Councillor Marshall.

Reports from Director Corporate Services

REPORT:

DETAILS

Date: Thursday, 1 August 2002.

Venue: Sunnybrook Convention Centre, Hume Highway, Warwick Farm.

Time: 9am to 5pm.

The conference will be co-hosted by the NSW Department of Local Government, Companion Animals Advisory Board and Local Government Rangers' Institute.

It is aimed at Councillors, Managers and Council Staff with an interest in the Companion Animals Act.

The agenda will include papers by:

- Dr Kersti Seksel, veterinary animal behaviour specialist, on the causes behind 'nuisance dogs' and what Councils can do to reduce dog complaints.
- Dr Paul McGreevy, Faculty of Veterinary Science, University of Sydney, on the place of pets in the community.
- Ms Virginia Jackson, Director, Harlock Jackson Pty Ltd, Urban Policy Analysts and Town Planners, on the built environment and how it affects animal ownership.
- Cr Ian McKenzie, Newcastle Council, a case study: Newcastle's successful animal management strategy.
- Mr David Clark, Legal Officer, LGSA, on risk management and the Companion Animals Act.
- Mr Peter Tegert, Planning and Administration, Eurobodalla Shire Council, on Eurobodalla's companion animal management plan.

Workshops topics include:

- working with companion animal advisory committees
- cats – demonstration on handling, setting up cages, seizure
- dogs – managing dangerous dogs, barking dogs, better management of wild dogs
- implementing companion animal management plans
- regional cooperation achieves better outcomes for community education
- working with vets to better manage stray animals after hours
- managing the end of the transition period from the Dog Act
- pounds best practice record systems.

There will be limited space available for trade and council displays.

The Minister for Local Government will present awards for best animal management plan and best innovation. There will also be a conference dinner in association with the Rangers' Institute Annual Conference on the evening of Wednesday, 31 July.

Reports from Director Corporate Services

14. ORIGIN: Director

FILE REF: TACTIC

REPORT TITLE:

Tweed and Coolangatta Tourism Inc. (TACTIC) Monthly Performance Report - May 2002

SUMMARY OF REPORT:

Tweed and Coolangatta Tourism Inc (TACTIC) monthly performance report for May 2002 is provided in accord with the Agreement in criteria in Clause 5.1.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Corporate Services

REPORT:

The agreement between Council and TACTIC requires the organisation to report on a monthly basis its performance in accord with a number of specific requirements as detailed in Clause 5.1. The details are provided for the month of May 2002.

5.1.1 The number and category of financial members of TACTIC:

| | March 2002 | April 2002 | May 2002 |
|-------------------|-----------------------------|-----------------------------|-----------------------------|
| Corporate Members | 3 (including 10 businesses) | 3 (including 10 businesses) | 4 (including 10 businesses) |
| TACTIC Members | 139 | 141 | 139 |
| Service Members | 19 | 19 | 21 |
| Total | 161 | 163 | 164 |

5.1.2 The visitor numbers to the World Heritage Rainforest Centre and the Tweed Heads Tourism Centre:

| | March 2002 | April 2002 | May 2002 |
|----------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| World Heritage Rainforest Centre | 2225 (including 322 from bus groups) | 2486 (including 172 from bus groups) | 2284 (including 385 from bus groups) |
| Tweed Heads Visitors Centre | 739 | 785 | 735 |
| Total | 2964 | 3271 | 3019 |

The two centres undertake a survey on the type of enquiries received:

World Heritage Rainforest Centre Tweed Heads Tourist Information Centre

| Type of Enquiry | No of Enquiries | % | Variance from 2001 | Type of Enquiry | No of Enquiries | % | Variance from 2001 |
|-------------------|-----------------|----|--------------------|-------------------|-----------------|----|--------------------|
| Tourism | 681 | 59 | +10.41 | Tourism | 323 | 65 | +39.82 |
| National Parks | 230 | 20 | +244 | National Parks | 26 | 5 | +1100 |
| Street Directions | 120 | 10 | +23.3 | Street Directions | 51 | 11 | +920 |
| Bus Timetables | 8 | 1 | -33.3 | Bus Timetables | 26 | 5 | +160 |
| Other | 113 | 10 | +39.5 | Other | 71 | 14 | +7.5 |

5.1.3 The provision by TACTIC to Council of updates on current programs conducted by TACTIC:

Internet Site

- A review of the website has shown that an average of 2000 hits per day are received however people are not staying on the site for very long. It is believed that the current work of the webmaster will rectify this in part as the pages and member information are developed further.

Reports from Director Corporate Services

Review of operations of the tourist Information Centre

- A final draft of the Memorandum of Understanding has been received from National Parks & Wildlife Services (NPWS). While there has been progress regarding areas in dispute (ie: interpretative display area) a meeting will be coordinated with the General Manager of TACTIC, NPWS and Council to discuss the future of the centre as per Council's funding agreement request.
- Some minor changes and tidying up of the brochure display area in WHRC has occurred. This has opened up this section and directs attention to the interpretative display area and presents much better.
- Clean up of the WHRC gardens and guttering occurred in early May.
- Council has withdrawn as lessee of the Tweed Heads premises and the Department of State and Regional Development (DSRD) have now taken over that role. Our tenancy is monthly and the building will be up for auction in July. While notice to quit has not yet been received we have been advised that we will have 13 weeks to vacate once notice has been given.
- A verbal in principle agreement has been received from Tweed Mall regarding TACTIC managing their Information Booth.

Strategic Marketing Plan

- Strategic Plan Consultant, Terry Watson sent out a survey to all members and held a workshop. Initial review of direction of plan has been discussed with Directors and members of the steering committee. Draft Plan will be presented to the Board mid-June.

Networking

- The next Network Night will be held in conjunction with the launch of the Strategic Plan in July.

Group Bookings

Accommodation is currently being coordinated for:

- Speed on Tweed (September 2002)
- 2002 District Rotary Conference (December 2002)
- NSW Veterans Golf Championships (2004)

5.1.4 The comparison between quarterly profit and loss statement and the budget:

See attached year to date and monthly profit and loss statement and balance sheet.

5.1.5 The provision by TACTIC to Council of a monthly bank reconciliation:

See attached bank reconciliation for the General Account for May 2002.

5.1.6 The level of involvement by TACTIC in Australian Tourism Exhibition Trade Shows:

Reports from Director Corporate Services

TACTIC will be represented at a cooperative Northern Rivers Regional Stand at Sydney on Show expo for the Meetings & Incentive market. TACTIC will be represented at the Domestic Tourism Exhibition (DTE) in July at Conrad Jupiters.

5.1.7 The provision by TACTIC to Council of details of promotional activities conducted by TACTIC (further to 5.1.3):

TACTIC Marketing Committee

- The next Marketing Committee meeting will be held mid July to discuss the recommendations from the Strategic Plan.

Shopping Centre Promotions

- The next Shopping Centre Promotion is at Carindale Shopping Centre in Brisbane. We have not attended this centre before but have received excellent response from members to participate.

Advertising

- A series of advertisements have been booked with a Gold Coast Tourism Bureau Feature to be distributed across eight regional papers in SE Qld at three times over a 5 month period. Advertisements continue to appear in the Open Road magazine and North Coast NSW UBD Map.

Domestic Marketing

- Future marketing strategy is being developed within the Strategic Plan and will be discussed at the next marketing committee meeting.

Familiarisations

- A famil will be conducted in the Northern Rivers with Tourism NSW and journalists from Brisbane metropolitan papers with a full day and one night being spent in the Tweed mid June.

5.1.8 The amount of retails sales:

Quarterly and Year to Date Sales Figures *

| WHRC & THVC | Total Profit Retail | Tours Comm. | Accomm Comm. | Total Sales Income | Variance from 2001 | % | No. of Bookings |
|--------------|---------------------|-------------|--------------|--------------------|--------------------|-----|-----------------|
| March | 1313.00 | 175.60 | 615.57 | 2104.17 | 2727.69 | -29 | 39 |
| April | 1004.26 | 138.60 | 487.55 | 1630.41 | 2264.51 | -28 | 36 |
| May | 863.60** | 202.20 | 288.90 | 1354.70 | 2585.70 | -48 | 33 |
| Total | 3999.26 | 479.40 | 1455.32 | 5933.98 | | | |
| YTD | 12989.26 | 13369.60 | | 26358.86 | 23719.76 | +11 | |

*All figures are in dollars

** Extra expenditure in cost of goods this month (\$500.00) which has decreased profit margin

Reports from Director Corporate Services

5.1.9 The number and value of the booking system growth:

| | March 2002 | April 2002 | May 2002 |
|--------------|-------------------|-------------------|-------------------|
| Number | 39 | 36 | 33 |
| Total | \$2,104.17 | \$1,630.41 | \$1,354.70 |

5.1.10 Minutes of Tweed and Coolangatta Tourism Incorporated Board meeting:

Please find attached the minutes of the TACTIC Board meeting held on Friday, 31 May 2002. Next meeting to be advised.

Reports from Director Corporate Services

THIS
PAGE
THIS
PAGE
IS
BLANK
IS
BLANK

Reports from Director Engineering Services

15. ORIGIN: Design Unit

FILE REF: DA3488/12 Pt1; New Art Gallery; 3488.12

REPORT TITLE:

Classification of Land as Operational - Lot 15 in DP 1037891 being the New Art Gallery Complex

SUMMARY OF REPORT:

Lot 15 was transferred to Council for the purposes of the new Art Gallery complex at Mistral Road, South Murwillumbah.

Lot 15 should be classified as Operational under the provisions of Section 31 of the Local Government Act, 1993.

RECOMMENDATION:

That the land transferred to Council for the purposes of the new Art Gallery complex, described as Lot 15 in DP 1037891, be classified as Operational under Section 31 of the Local Government Act, 1993.

Reports from Director Engineering Services

REPORT:

Lot 15 was transferred from Mr Douglas Anthony to Council for the purposes of the new Art Gallery complex at Mistral Road, South Murwillumbah. Council is now holding the Certificate of Title for Lot 15.

Council signed a Deed of Agreement with Mr Anthony which, amongst other things, provided that should the Art Gallery's construction not proceed within 2 years of the receipt by Council of the Certificate of Title following transfer, that the property be transferred back to Mr Anthony.

In that regard it is necessary that Lot 15 should be classified as Operational under the provisions of Section 31 of the Local Government Act, 1993.

Reports from Director Engineering Services

16. ORIGIN: Works Unit

FILE REF: R2920 Pt3; Bridges - Lakes Dr; Kirkwood Rd; Fraser Dr; Mahers Lane

REPORT TITLE:

Mahers Lane Extension to Fraser Drive

SUMMARY OF REPORT:

Council resolved at its meeting on 19 December 2001 as follows:-

- “1. *The Roads and Traffic Authority be:-*
 - a) *Forwarded a copy of this report.*
 - b) *Requested to confirm that sufficient space for a 2 lane bridge over Terranora Inlet be formally nominated and protected within the RTA Highway reserve to enable Option 1 below.*
 - c) *Advised that a single lane on-ramp to the Highway from Darlington Drive is adequate to operate at Level of Service C for the current and future volumes of traffic at the intersection.*
 - d) *Advised that concept design for the Highway upgrade to 6 or 8 lanes at the Darlington Drive on-ramp is the responsibility of the Roads and Traffic Authority and is outside Council’s planning jurisdiction and specialist knowledge.*
2. *Subject to recommendation 1 being satisfactorily achieved:-*
 - a) *Option 1 in this report (being the construction of a new link road between Kirkwood Road and Kennedy Drive including a new local traffic bridge over Terranora Inlet within the Roads and Traffic Authority highway corridor) be pursued.*
 - b) *Detailed design work be commenced for Option 2, (being the upgrade of Leisure Drive and Darlington Drive from Leisure Drive to the Pacific Highway to four lane standard to be commenced as a three year program from 2002 to 2004.)*
 - c) *The Lakes Drive Bridge development application be withdrawn and the project removed from the Tweed Road Development Strategy and Tweed Road Contribution Plan No. 4.*
 - d) *The process of amending the Tweed Road Development Strategy and Tweed Road Contribution Plan to accommodate parts 1, 2 and 3 above be commenced immediately.*
 - e) *The Planning & Design Unit recommence design investigation and environmental assessment of the Naponyah Road connection from Mahers Lane to Fraser Drive including inviting discussions with affected landowners over likely and necessary acquisitions.*
3. *Council approves the allocation of funds from the Section 94 Plan as shown in the Schedule of Works for the detailed design and construction of the Leisure Drive / Fraser Drive intersection to be constructed this financial year.”*

Reports from Director Engineering Services

Halliburton KBR were appointed to undertake a Preliminary Environmental Assessment for the proposed road extension. The report concludes that subject to detailed studies on several issues that a corridor exists that can accommodate the Mahers Lane Extension. It is considered that no further work is required by the Engineering Services Division until the Area E rezoning process is completed.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Engineering Services

REPORT:

BACKGROUND

To enable the preparation of the Local Environmental Study and draft Local Environmental Plan for Area E to proceed a pre-requisite is to determine if the area can be provided with adequate road access. The Design Unit commenced preliminary work on the possibility of extending Mahers Lane to Fraser Drive (a modification of the Naponyah Road Extension proposal) in 2001.

The process was halted by resolution of Council on 6 June 2001 when advice from the RTA was considered that indicated the RTA may object to the proposed rezoning on road network issues due to the RTA's refusal to allow north facing ramps to the Tweed Heads Bypass from the extension of Kirkwood Road.

After further negotiations with the RTA and progress being made on road network alternatives the likelihood of an RTA objection to the proposed rezoning diminished greatly.

Council considered a report addressing the wider distributor road network including the above issue at its meeting on 19 December 2001 resolved in part the following:-

"e) The Planning & Design Unit recommence design investigation and environmental assessment of the Naponyah Road connection from Mahers Lane to Fraser Drive including inviting discussions with affected landowners over likely and necessary acquisitions."

IMPLEMENTATION

The consulting firm Halliburton KBR were appointed to undertake preliminary environmental assessment for the proposed extension of Mahers Lane to Fraser Drive.

The objective of the study was two fold. Firstly to determine if the proposed road would be impossible to construct due to any major environmental factor and secondly if no major precluding environmental factors, what key environmental issues exist and the extent of further detailed investigation and consultation is required to enable the proposed road to proceed.

STUDY RESULTS

The Mahers Lane Extension Preliminary Environmental Assessment dated 26 march 2002 summary is as follows:-

Reports from Director Engineering Services

KEY ISSUES

The key issues identified during this scoping assessment are as follows:

- Investigation of Commonwealth, State and local values suggests that the road corridor is not critically constrained on environmental grounds.
- A site inspection should be undertaken with a representative of the Department of Land and Water Conservation (Murwillumbah Office) to confirm whether the proposed road crosses areas deemed to be 'protected waters'. Should this occur, a permit under Part 3A of the *Rivers and Foreshores Improvement Act 1948* is required.
- Numerous Commonwealth and State protected flora and fauna species have been recorded from the wider study area. Field surveys are required to establish the presence/absence and implications of these species to the project. While the presence of such species is not considered an unmanageable constraint, it may dictate the ultimate alignment of the road within the investigated corridor.
- Indirect impacts of the road construction and operation on the adjacent SEPP 14 wetland will require careful consideration and the implementation of appropriate management practices. This is particularly relevant to the disturbance and treatment of acid sulphate soils. A detailed Erosion and Sediment Control Plan and Acid Sulphate Soils Management Plan should be developed prior to any disturbance of the ground surface for this project.
- Both the short and long-term impacts associated with elevated noise levels will require assessment, particularly at the nearby Lindisfarne Anglican Secondary School.
- No known sites of heritage significance are recorded from within or directly adjacent to the proposed road corridor. However, discussions with Council and the Tweed/Byron Aboriginal Land Council have established that more detailed heritage surveys are being undertaken within the local area. The findings of these

surveys should be included in any subsequent environmental assessment associated with this project.

- Council should consider the loss of agricultural land when justifying the need for the road link and associated residential development. Potential impacts (both positive and negative) in relation to the existing sugar cane and banana growers and the Rose Acres flower farm, all located within or directly adjacent to the proposed road corridor, should be considered.

Reports from Director Engineering Services

ALTERNATIVE ROAD ALIGNMENTS

The study determined that there is some flexibility in the selection of the final alignment and identified a “corridor” that the road should be able to be built subject to constraints.

The constraints are as follows:-

ALTERNATIVE ROUTE ALIGNMENTS

The preliminary assessment of environmental constraints (plus topography and therefore constructability) suggests that there is some flexibility within the local area to change the presently proposed road alignment (i.e. the alignment as per Figure 2.1). Some of this flexibility may be lost depending on the findings of the subsequent flora and fauna field surveys particularly if threatened species are located within the road corridor. Nevertheless, the key issues to consider when assessing alternative alignments are as follows:




- It is preferable to avoid aligning the road within any part of the SEPP 14 wetland, and if possible to provide a buffer that would minimise any potential impacts on the environmental values of the wetland.
- The location of the alignment to minimise adverse impacts on properties (both direct impacts through acquisition and indirect impacts such as increased noise levels).
- Some sections of the road, particularly the eastern section, will require construction on embankments (i.e. fill). Therefore, an alignment that aims to balance the amount of material cut from the hill slopes with that required for the fill would avoid the need to bring additional material on to the site.
- The proposed road link will result in an increase in traffic volumes and therefore traffic noise at the Lindisfarne Anglican Secondary School. The ultimate road alignment (for both the horizontal and vertical alignments) should be designed so as to reduce noise impacts on the school. This may include straight sections of road with minimum grades. The alignment where it joins the existing Mahers Lane may be moved further south. However, impacts on the Rose Acres flower farm, banana grower and sugar cane grower would need consideration.

Figure 5.1 shows a number of alternative route alignments that meet the constraints raised above. As noted throughout this report, further environmental investigations will be required irrespective of the ultimate alignment chosen.

Reports from Director Engineering Services

The corridor identified is shown in Figure 5.1 of the Study and is as reproduced below:-



| LEGEND | |
|---|--|
|  | CORRIDOR WITHIN WHICH THE ALIGNMENT MAY BE LOCATED |
|  | PROPOSED ALIGNMENT |
|  | ALTERNATIVE ALIGNMENT |

Reports from Director Engineering Services

The following table lists the additional investigations and reports that will be required and the degree of complexity for each element:-

Table 5.1 Recommended level of assessment for each environmental element

| Environmental element | Level of assessment |
|--------------------------|---------------------|
| Water quality | High |
| Hydrology/hydraulics | Medium |
| Fauna | High |
| Flora | High |
| Soils/topography/geology | High |
| Noise | Medium |
| Air quality | Low |
| Land use and planning | Low |
| Landscape and visual | Low |
| Social and economic | Medium |
| Community consultation | Medium |
| Cultural heritage | Low* |

* *The initial cultural heritage assessment should be a risk assessment based on discussions with the Tweed/Byron Aboriginal Land Council. This initial assessment should determine the need for further heritage field surveys.*

CONCLUSION

It can be concluded from the study report that a corridor exists that is feasible to construct the Mahers Lane Extension within but is subject to additional studies that will ultimately allow the exact alignment to be identified.

It should be noted that where the corridor connects to Fraser Drive that regardless of the exact road alignment, private property and residences will be affected.

Traffic management issues may also need to be considered depending on the exact alignment as potential exists for negative impacts on Amaroo Drive.

No further work on this matter by the Engineering Services Division is required until the preparation of the Local Environmental Study and draft Local Environmental Plan for Area E process has been completed. If approved then the detailed investigations identified in the subject study will need to be undertaken to enable a development application to be lodged for the Mahers Lane Extension.

Reports from Director Engineering Services

THIS
PAGE
THIS
PAGE
IS
BLANK
IS
BLANK

Reports from Director Engineering Services

17. ORIGIN: Works Unit

FILE REF: R1160 Pt6; Clothiers Creek Rd; Road Safety Audit

REPORT TITLE:

Clothiers Creek Road - Road Safety Audit

SUMMARY OF REPORT:

A road safety audit was carried out on Clothiers Creek Road to identify features in the road reserve that may be modified to reduce the number of motor vehicle crashes.

The road section has a considerable crash history particularly when wet conditions are prevalent. Treatments have been identified that may be easily implemented to assist motorists in safely travelling the road.

RECOMMENDATION:

That:-

1. The following works be undertaken as soon as possible:-

| | Cost | Timeframe | |
|-------------------------|-------------|------------------|-------------|
| Guideposts (12) | \$240 | Short term | |
| Trim | | foliage | overhanging |
| road | \$100 | Short term | |
| Repaint | | Double | centre |
| lines est. 2kms | \$1,000 | Short term | |
| 36 | | chevron | hazard |
| markers | \$2,880 | Short term | |
| Upgrade guardrail | \$1,800 | Medium term | |
| Install RRPMs(6) | \$60 | Short term | |
| Install guardrail (40m) | \$4,000 | Medium/long term | |

2. 'Stop' signs at Kindalyn Court be referred to the Local Traffic Committee.
3. The removal of a section of double centre lines be investigated to enable vehicle overtaking movements on approach to Madura Tea.

Reports from Director Engineering Services

REPORT:

PROJECT DESCRIPTION

Road Safety Audit on Clothiers Creek road between the Pacific Highway intersection and the intersection at Tanglewood Drive. There have been 57 reported crashes on Clothiers Creek Road from 1999 to September 2001 with particular clustering around Condor Place and Boyds Lane. It needs to be noted that the road surface has recently been upgraded around the curve west of Boyds Lane. Sixty - seven percent of crashes occurred on wet roads compared to around 33% for the whole Shire. Nearly 90% of crashes occurred on curves. Of those crashes on curves, 74% occurred on right hand bends. Only 5 crashes involved more than one vehicle. There are approximately 1200 vehicles per day travelling on the road.

The road is currently signposted at 80km/h from the Pacific Highway to the Freeway interchange worksite where there is a 60km/h work zone, derestricted along the Tanglewood Flats and 80km/h from Tanglewood Drive to the village of Bogangar.

It was noted that the road between Tanglewood Drive and Bogangar is to be upgraded as soon as development consent is obtained.

AUDIT FINDINGS AND RECOMMENDATIONS

Road Condition

Generally the road pavement was considered to be in reasonable condition. However, it was observed that sections of the road were covered by gravel from private driveways accessing the road.

Recommendation:

- *Consider sealing driveways from private property boundaries at numbers 307 and 568 to the edge of the road seal.*
- *Approach Madura Tea development to recommend sealing of their driveway.*

Signs

It is considered that the installation of chevron hazard markers on the outside of curves would assist motorists to better judge curve approach speeds, especially in consideration of the types of crashes on this road.

Recommendation:

Heading east, distance from Pacific Highway

- *200m,4 guideposts required along cane drain.*
- *1.3kms on outside LH curve past Eviron, install 2 chevron hazard markers.*
- *1.7kms on RH curve install RRPMs to delineate gutter.*
- *4.9kms RH 35km/h advisory curve install 2 chevron hazard markers.*
- *5.7kms LH curve install chevron hazard marker.*
- *5.85kms RH curve just before convex safety mirror, install chevron hazard marker.*
- *6.0kms LH curve install chevron hazard marker.*

Reports from Director Engineering Services

- *6.4kms LH curve just after Condor Place, install chevron hazard markers (black and white large)*
- *8.0kms trim tree to enable 45km/h advisory sign to be seen.*
- *8.4kms RH curve, install chevron hazard marker.*
- *9.4kms LH curve opposite dip site, install chevron hazard marker.*
- *9.65 RH curve with 35km/h advisory sign, install 2 chevron hazard markers.*
- *13.55 RH curve after Tanglewood Drive, install chevron hazard marker.*

Heading west from Poplar Avenue

- *150m LH curve, install chevron hazard marker.*
- *2.7 kms after Tanglewood Drive, install chevron hazard marker.*
- *4.7kms RH curve at end of straight, install 2 chevron hazard markers.*
- *5.5kms on back of existing signs, install 3 chevron hazard markers.*
- *5.8kms RH curve on crest install 2 chevron hazard markers.*
- *6.4kms LH curve, install 6 chevron hazard markers.*
- *7.7kms LH curve install chevron hazard marker.*
- *7.9kms RH curve install chevron hazard marker.*
- *9.8kms RH curve install additional guideposts*
- *10.2kms LH curve near convex safety mirror, install 2 chevron hazard markers.*
- *10.9kms LH curve install chevron hazard marker.*
- *11.1 LH curve install chevron hazard marker.*
- *11.4kms LH curve near convex safety mirror, install chevron hazard marker.*
- *11.6kms LH curve near convex safety mirror, install 2 chevron hazard markers.*
- *11.8 RH curve, install additional guideposts.*
- *12.35kms RH curve, install chevron hazard marker.*

Marking and delineation

The on road line marking (double centre lines) are considerably faded on the section from Norths Lane to Condor Place.

There are limited overtaking areas for the length of the road which could lead to driver frustration.

Recommendation:

- *Repaint double centre lines from Norths Lane to Condor Place.*
- *Remove a section of the double centre line on westerly approach to Madura Tea plantation to allow overtaking movements between 7.3km to 7.7km eastbound.*

Reports from Director Engineering Services

Physical objects

The guardrail 4.3kms from pacific Highway does not have bullnosed end treatments.

The two convex safety mirrors west of Farrants Hill Road are damaged.

Heading west on approaches to Norths Lane the batter from the road is very steep and there is limited (less than 1m) edge from the road pavement.

Recommendation:

- Consider upgrading guardrail
- Consider removal or replacement of convex safety mirrors.
- Consider installation of guard rail approximately 40m length.

Intersections

Sight distances from Kindalyn Court are estimated to be 40-50m for approaching traffic.

Recommendation:

- Consider recommendation to Local Traffic Committee the installation of stop signs on intersection of Kindalyn court and Clothiers creek Road..

Concluding Statement

The audit has been carried out for the sole purpose of identifying any features of the road which could be altered or removed to improve its safety.

The identified problems have been noted and recommendations are put forward for consideration.

PROJECTED COSTING AND TIMEFRAME

| | Cost | Timeframe |
|---------------------------------------|---------|------------------|
| Guideposts (12) | \$240 | Short term |
| Trim foliage overhanging road | \$100 | Short term |
| Repaint Double centre lines est. 2kms | \$1,000 | Short term |
| 36 chevron hazard markers | \$2,880 | Short term |
| Upgrade guardrail | \$1,800 | Medium term |
| Install RRPMS(6) | \$60 | Short term |
| Install guardrail (40m) | \$4,000 | Medium/long term |

Given that the Chinderah to Yelgun Motorway opening is imminent the above issues need to be addressed.

Reports from Director Environment & Community Services

18. ORIGIN: Environment & Health Services Unit

FILE REF: Markets - Knox Park; Food Vending

REPORT TITLE:

Knox Park Markets - Food Vending Stalls

SUMMARY OF REPORT:

Council has received a request for an additional two (2) food stalls at the Knox Park Markets. The request is in contrary to Council's Policy for the Vending of Food on Public Reserves, Streets and Roads. It is considered that the objectives of the Policy could not be achieved should the request be granted due to potential wider implications.

RECOMMENDATION:

That Council maintains the Policy provision for two (2) food stalls only at the Knox Park Markets and the request for additional food stalls be denied.

Reports from Director Environment & Community Services

REPORT:

Council has previously reviewed its Policy E10.10, **Vending of Food on Public Reserves, Streets and Roads** and resolved to amend the Policy to provide for “*a maximum of two (2) food and drink vendors*”.

In addition to the two current food stalls a request has been received for a further two (2) food vending stalls, specifically coffee and pancakes, at the Knox Park Markets. The Market Manager has submitted a survey of local food premises to support his request: eight (8) for and two (2) neutral. As the request does not comply with Council Policy this report has been prepared.

The Policy objective states:

“To control the vending of food on public reserves, streets and roads to maintain the highest levels of public health, safety and convenience of persons using public reserves, streets and roads and to cause minimum financial impact to nearby retail outlets.”

The current market operators applied to operate the markets knowing that the sale of food and drink is restricted because the markets are on public land. Further, had the markets been offered with approval to sell food and drink then the submissions received from prospective operators may have been quite different.

Market is defined under the Tweed Local Environmental Plan 2000 as:

“a temporary outlet for the sale of local crafts and goods, a large proportion of which are not available through normal commercial outlets”.

The variation of the policy to allow for additional food stalls has wider implications for Council’s management of markets by opening the way for other markets operating on public reserves to follow suit.

Council’s restriction on the sale of food at Markets was based upon objection from nearby food retailers who stated that as ratepayers and employers to allow such food outlets on public land was unjust.

Also, the greater number of food outlets that are permitted increase the potential to increase the risk to public health.

It is consequently recommended that the policy remains as is.

Reports from Director Environment & Community Services

19. ORIGIN: Environment & Health Services Unit

FILE REF: Companion Animals; Councillors - Conferences

REPORT TITLE:

Annual Urban Animal Management Conference

SUMMARY OF REPORT:

Council is advised that the Annual Urban Animal Management Conference is to be held at Alice Springs from 14 - 16 August 2002.

RECOMMENDATION:

That interested Councillors be authorised to attend the Annual Urban Animal Management Conference in Alice Springs 14-16 August 2002 and those wishing to attend advise the Mayor's Secretary.

Reports from Director Environment & Community Services

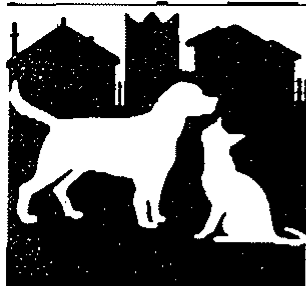
REPORT:

Council is advised that the Annual Urban Animal Management Conference is to be held at Alice Springs from 14 - 16 August 2002.

The agenda for this conference is as set out below.

It is recommended that interested Councillors and appropriate staff be authorised to attend.

Reports from Director Environment & Community Services



People & Pets

Vol 9 No 2 February 2002

PM: CATR PL

Print Post Approved PP 231677/00007

Newsletter of Urban Animal Management Group

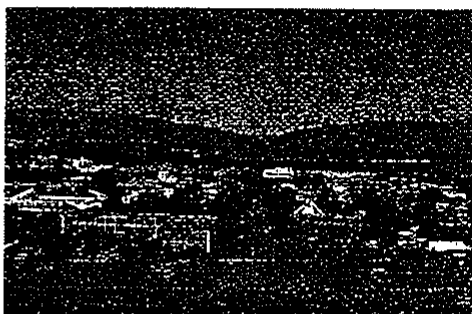
Experience 'The Outback' - Alice Springs the venue for UAM 2002

To do the region justice, you should consider a few extra days either side of the UAM Conference in Alice Springs

You'll never never know, if you never never go!! Vast, remote and spectacularly beautiful, Central Australia evokes images of the 'real outback' - the Red Centre, a place that is waiting to be explored and experienced by delegates attending this year's Urban Animal Management Conference. The region holds not only one of the most culturally significant icons of Aboriginal and Australian culture, Ayers Rock/Uluru; it holds onto the true Outback spirit that made Australia great.

The town of Alice Springs, the destination for UAM 2002, has evolved into a modern Outback town, with all the creature comforts of a capital city. Attending the conference and visiting Alice Springs will give you an appreciation of the vast and unspoiled wonders of Australia's interior. Skyscrapers are made out of rock, not steel, and one of the best shows in town is the million-star display at night. The large population of unique animals, birds and reptiles proves that this arid climate is more than hospitable. Wallabies, dingos, emus, tiny geckos and huge eagles are just some of the long-established locals you will see around the area as well as camels, well-adjusted immigrants to the region.

The conference venue, the Alice Springs Convention Centre is located right next



door to Lasseters Hotel Casino and offers delegates the opportunity to experience the true essence of the Australian outback while enjoying modern, technologically advanced facilities in sensational five star surrounds. The Centre is offering a very competitive accommodation rate for delegates that is hard to turn away from.

To do the region justice, you should consider a few extra days either side of the UAM Conference in Alice Springs. Make your conference bookings now - a registration form is enclosed with this issue of People & Pets or can be found on the website at www.ava.com.au. A full conference program can be found inside this issue.

For more information, contact AVACOS on Telephone (02) 6273 8855 or Fax (02) 6273 8899 or Email: avacos@ava.com.au.

In this issue

| | |
|---|---|
| AMO Training Package | 2 |
| UAM position on dangerous dogs | 3 |
| UAM 2002 Program | 5 |
| Simple strategies improve rehousing rates.. | 6 |
| New regional pound facility for Armidale .. | 7 |

Events Calendar

| | |
|--------------------------------------|--------|
| Next Newsletter | Apr 02 |
| Deadline for contributions | 12 Apr |
| Joint UAM/Big Lick Conference | |
| --- Alice Springs, 14-16 August 2002 | |

Reports from Director Environment & Community Services

URBAN ANIMAL MANAGEMENT AND BIG LICK

JOINT CONFERENCE



Some topics on the program:

- Dangerous Dogs - what you need to know
- Compulsory desexing - is it working in ACT?
- Dogs in Indigenous Communities
- And so much more.....*

Online registration at: www.ava.com.au/uam
 Or
 Call AVACOS on (02) 6273 8855 for more details



14-16 AUGUST 2002

ALICE SPRINGS CONVENTION CENTRE

UAM Awards 2002

Councils you now have the opportunity to acknowledge and support an AMO or AMO Team you think has made a significant contribution — nominations are being called for *now!!*

Have you entered your AMO or AMO Team?



Nomination forms are in this issue of People & Pets and also on the website — www.ava.com.au/uam



People and Pets is published by:

The Australian Veterinary Association
 Conference Organising Service (AVACOS)
 PO Box 4257
 Kingston ACT 2604
 Phone (02) 6273 8855
 Fax (02) 6273 8899

— for the Urban Animal Management Advisory Group

The Australian Veterinary Association Ltd does not hold itself responsible for the statements made in People & Pets by contributors or advertisers. Unless so stated, material in People & Pets does not reflect the endorsement, official attitude, or position of the Australian Veterinary Association or the editor. Advertisers are responsible for complying with the Trade Practices Act 1974, as amended.

Reports from Director Environment & Community Services

Joint UAM/Big Lick Conference Program in Alice Springs

| Tuesday 13 August | |
|--|---|
| 7.30 | Registration and social get together |
| Day 1 — Wednesday 14 August | |
| 8.30 | Opening Address |
| 8.40 | Official Conference Opening |
| 9.00 | Final position of Training Package — Kate Mountain/Tanya Coleman (Project Consultancy Team) |
| <i>10.30-11.00 Morning tea in industry display area</i> | |
| Cultural affairs | |
| 10.30 | Different strokes for different folks - the concept of responsible pet ownership — Anne Quain (Philosophy graduate currently studying Veterinary Science) |
| 11.15 | Animal management in Central Australia — Clem Wheatley/Elara Bozich (Manager and AMO, Alice Springs Town Council) |
| <i>12.00-1.00 Lunch in industry display area</i> | |
| Plenary | |
| 1.00 | Liability Issues for Councils — Basil Stafford (Barrister) |
| 2.00 | Ethology of dog behaviour - what/how do dogs think — Kersti Seksel (Veterinarian and Animal Behaviourist) |
| <i>3.00-3.30 Afternoon tea in industry display area</i> | |
| "Hypothetical" | |
| 3.30 | Dog aggression : where does the buck stop? — Hosted by Basil Stafford A guide dog is attacked while walking with its owner down a street. The owner of the attacking animal says the guide dog wandered onto his property. The guide dog owner is blind and cannot confirm or deny what happened. There are no other witnesses. What can the council officer do? |
| <i>5.00-8.00 Happy Hour in industry display area</i> | |
| 6.30 Informal BBQ | |
| Day 2 — Thursday 15 August | |
| The Big Lick — Indigenous issues and dog health | |
| 8.00 | Introduction — Tony English (School of Veterinary and Clinical Sciences, University of Sydney) |
| 8.15 | Official Opening — NT Senator |
| 8.30 | TBA — Indigenous issues and dog health |
| 9.00 | TBA — Indigenous issues and dog health |
| 9.30 | Rabies in Flores — Steven Cutter |
| UAM Stream | |
| 8.30 | Increased responsibility and returning cats to owners — Blyth Moir (Team Leader Animal Management, Moreland City Council) |
| 8.50 | Compulsory desexing in ACT - has it changed anything? — Lee-Anne Wahren (Policy Officer, Environment ACT) |
| 9.20 | Community solutions and cost benefits — Phil Kirkpatrick/Doug Kenny (Hokitia Bay City Council and Hokitika Bay Dog Owners' Club) |
| 9.40 | A case for untangling the bureaucratic knots — Vicki Morris (Team Leader, Amenities, Denbigh City Council) and Blyth Moir (Team Leader Animal Management, Moreland City Council) |
| <i>10.00 — 10.30 Morning tea</i> | |
| The Big Lick — Zoonoses | |
| 10.30 | Veterinary Practice in remote localities — Rick Speare (James Cook University) |
| 11.15 | Veterinary Practice in remote localities — Tony English (School of Veterinary and Clinical Sciences, University of Sydney) |
| UAM Stream | |
| 10.30 | DI Evans |
| 11.00 | Dubbo Cultural Centre — Rob Ferguson (Senior Ranger, Dubbo City Council) |
| 11.30 | Animal Management Team of the Year |
| 11.45 | AMO of the Year |
| <i>12.00 — 1.00 Lunch in industry display area</i> | |
| Big Lick Workshop Session | |
| "Don't bite me ..." | |
| 1.00 | Queensland Dangerous Dog Legislation — Kent Wain (Manager, Department Local Government Association) |
| 1.30 | Victorian Dangerous Dog Legislation — Russell McMurray (Manager Amenities, Bayside City Council) |
| 2.00 | Submission to State Governments on Dangerous Dog Legislation — Kersti Seksel (Veterinarian and Animal Behaviourist) |
| 2.30 | South Australian submission to Social Development commission on Dangerous Dogs — Mick Cartwright (CEO, SA dog and Cat Management Board) |
| <i>3.30-4.00 Afternoon tea in industry display area</i> | |
| The Big Lick — Contemporary Dog Programs | |
| 3.30 | Steven Cutter |
| 3.50 | Recent experiences at Pandanus Park — Rod Salter |
| 4.10 | Graham Brown |
| 4.30 | Debbie Osborne |
| UAM Stream | |
| 3.30 | Legal aspects of dog management/chance for solution — Basil Stafford (Barrister) |
| 4.00 | Dangerous dogs—the law and how it is changed — Deb Kelly (Manager, Animal Welfare, SA Dept of Environment) |
| 4.30 | Aggression in dogs whys and wherefores — Kersti Seksel (Veterinarian and Animal Behaviourist) |
| 7.30pm Conference Dinner and 2002 Awards Presentation | |
| Day 3 — Friday 16 August | |
| 8.30 | A suggested policy for dangerous dogs management — Deb Kelly (Manager, SA Dept of Environment) |
| 9.00 | Workshop on program and changes suggested by delegates |
| <i>10.15-11.45am Morning tea in industry display area</i> | |
| 11.00 | "Behaving in Caloundra" — next year's UAM — Shane Scriggins/Kersti Seksel |
| 11.15 | Workshop report back and policy result |
| 11.45 | Vote on new dangerous dogs policy |
| 12.00 | Conference closure and thanks — Ian McBryde/Rod Salter |

Reports from Director Environment & Community Services

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

Reports from Director Environment & Community Services

20. ORIGIN: Environment & Health Services Unit

FILE REF: Aged Services; Aboriginal Matters; Volunteers

REPORT TITLE:

NSW Committee on Ageing - Report of Consultations in Tweed Heads and Murwillumbah

SUMMARY OF REPORT:

Council is advised that on 14 and 15 June 2001, the NSW Committee on Ageing visited the far north coast of NSW to hold three consultations in Murwillumbah and Tweed Heads with older people and services that work with older people. One of the consultations in Tweed Heads was for Aboriginal and Torres Strait Islander community members.

RECOMMENDATION:

That Council:

1. Pursues the recommendations specific to Tweed Shire Council.
2. Requests the support of the Minister to pursue the recommendations specific to the other Government Departments.

Reports from Director Environment & Community Services

REPORT:

Council is advised that on 14 and 15 June 2001, the NSW Committee on Ageing visited the far north coast of NSW to hold three consultations in Murwillumbah and Tweed Heads with older people and services that work with older people. One of the consultations in Tweed Heads was for Aboriginal and Torres Strait Islander community members.

These consultations continued the recent tradition of the Committee of focusing on consulting with residents of smaller communities in rural areas such as Kempsey, Cobar, Bega and Sanctuary Point as well as somewhat larger centres like Queanbeyan and Nowra.

The theme for the Murwillumbah and Tweed general consultations was 'Have your Say'. The theme for the Aboriginal consultation was 'Listening to our Elders'. The Committee undertook to take up residents' concerns with relevant authorities, through the Minister for Ageing, the Hon Lo Po' MP.

Many of the issues raised were common to both indigenous and non-indigenous communities, particularly lack of access to transport, difficulties accessing health services and cross border issues such as the use of NSW disability parking permits in Queensland and accessing community transport for medical appointments in Queensland.

Older people from indigenous communities also expressed the view that they felt uncomfortable using community transport because it is not culturally appropriate to their needs. They felt that it would be more appropriate and culturally specific if they had transport services which catered specifically for Aboriginal and Torres Strait Islander communities.

The following recommendations arose from the consultations:

To the Department of Ageing, Disability and Home Care

1. That the Department of Ageing, Disability and Home Care in conjunction with local HACC service providers, review the accessibility of HACC services to residents that live away from towns in the area.
2. That the Department of Ageing, Disability and Home Care work with community transport to continue its program of consultations with older people from non-indigenous and indigenous backgrounds on the far north coast regarding indigenous access to transport services.
3. That these consultations be developed in partnership with indigenous community workers.
4. That the Department of Ageing, Disability and Home Care's Regional Office in Lismore should be actively encouraged to consult with the local community transport services and indigenous communities.
5. That the Department of Ageing, Disability and Home Care actively encourage Home and Community Care-funded services in the Tweed area to service indigenous communities especially where community transport is concerned.
6. That the Department of Ageing, Disability and Home Care examine ways of building on the (Office for Ageing's) Planning Ahead Project to improve community awareness about tools for planning for later life.
7. That the Department of Ageing, Disability and Home Care ensure that the services it funds in the Tweed Shire area offer full reimbursement of the expenses of their volunteer staff members.

Reports from Director Environment & Community Services

To Other NSW Government Agencies

1. That State and Commonwealth departments and the Tweed Shire Council develop protocols for working together to avoid and overcome border problems, consistent with the Premier's Department initiative "Region without Borders".
2. That government agencies recognise the specific needs of Aboriginal and Torres Strait Islander communities living in the Tweed Shire district, whose needs and concerns differ from those who reside in Lismore, to work towards enabling a more equitable approach to service delivery throughout the region.
3. That all state departments that employ Aboriginal liaison officers work together to improve information flow and access to Aboriginal specific services, especially HACC services.
4. That the Land Titles Office of Department of Information, Technology and Land Management take into account older people's concerns about the complexity and language of the standard power of attorney form, during the development of the proposed new power of attorney form and/or legislation.

To Tweed Shire Council

1. That Council finalise and implement its draft Disability Action Plan and continue to work on ways to improve physical access in the Tweed Shire Council area for older people with mobility difficulties.
2. That Council's Traffic Committee consult with the Roads and Traffic Authority about the timing of pedestrian lights and the restrictions on the use of disability parking permits across the NSW/Queensland border.
3. That Council's Traffic Committee reviews the placing of pedestrian crossing signs on road ways, considers the introduction of road and street signs colour schemes that are more visible and ensures that they are not camouflaged by other street signs or trees.
4. That Council's Traffic Committee consult with older residents about the difficulties they experience at pedestrian crossings where traffic speeds are high, especially around shopping complexes.
5. That Council review the condition of footpaths, overgrown trees on footpaths and the location of street gardens, as these can be a hazard for older residents.
6. That Council consult with older residents about the adequacy and placement of street seating for resting in town centres and residential areas.
7. That Council develops a mobility map showing the location of public toilets, post-boxes and accessible parking.
8. That Council reviews the use of electric scooters (such as gophers) in pedestrian and road traffic areas and consider the development of a policy on their safe use and education for older residents (both users of electric scooters and pedestrians) about safe use.
9. That Council support the Volunteering Tweed volunteer referral agency and encourage it to involve older people as volunteers in their activities.

Reports from Director Environment & Community Services

It is considered that Council should pursue the above recommendation for Tweed and request that the Minister pursue the other State Government Agencies to implement the recommendations made concerning them.

Reports from Director Environment & Community Services

21. ORIGIN: Building Services Unit

FILE REF: DA02/0569 Pt1; 3220.410

REPORT TITLE:

Building Enclosure below Council's Design Flood Level - Lot 5 DP248042 No. 10 McLeod Street, Condong

SUMMARY OF REPORT:

This report has been presented to Council due to its previous deferral at the Council Meeting of 19 June 2002.

Additional information is provided regarding the lower floor enclosure and its potential use. The previous report is included in the deferred items and is to be read in conjunction with this report.

In light of previous resolutions for similar proposals the recommendation has been amended accordingly.

RECOMMENDATION:

That Council invites the applicant to amend the proposal allowing an enclosed lower floor area which would comprise a double garage and a workshop area within the front portion of the lower floor with laundry and bathroom facilities permitted at the rear. The proposed workshop and storerooms are to be deleted, with suitable openings being provided to these areas to reduce the excessive enclosed lower floor area.

Reports from Director Environment & Community Services

REPORT:

A report for Building Enclosure below the Design Flood Level at 10 McLeod Street, Condong was deferred at Council's Meeting of 19 June 2002. This report is to be read in conjunction with the previous report which is in the Deferred Items.

Further explanation is provided regarding the use of rooms below the design flood level and the potential liability of property loss and damage in flood times.

Council's Development Control Plan No. 5 (DCP 5) permits an enclosure below the design flood level for facilities such as a laundry, stairway entry and double garage and an area of 50m² is generally considered large enough to encompass these facilities.

It is generally acknowledged that this proposal will not affect or restrict flood flow of this locality, however when assessing whether to approve an enclosed area in excess of 50m² the nominated and anticipated use of the enclosed area must also be considered.

It should be noted that the original plan received with the application nominated use of the rear of the lower floor area, as a family room, rumpus room and sewing room. These rooms being habitable areas and in contravention with DCP 5.

Although the amended plans currently show non-habitable areas of store rooms and workshop, these areas could be easily utilised for habitable purposes.

To remain consistent with similar proposals recently approved by Council it may be considered reasonable to permit a double garage and an adjoining workshop to the front area of the lower floor, with laundry and bathroom facilities to the rear portion.

Deletion of the enclosed store and workshop areas with suitable openings being provided to the rear area, will reduce the amount of total enclosed area below the flood level and importantly, help in minimising the potential property loss and damage.

As Council's Manager Water advises, one of the primary aims of the DCP 5 and Floodplan Management is to reduce the cost of flood damage, limiting the extent of enclosures below the design flood level will assist in the potential property loss and subsequent claims.



Dr J Griffin
General Manager

Reports from Committees/Working Groups

1. Minutes of the Tweed Shire Council Disability Access committee Meeting Held Thursday 16 May 2002

Disability Access Committee

VENUE:

HACC Centre South Tweed

TIME:

3.30pm

PRESENT:

Cr Max Boyd, Maggie Groff, Ross Cameron, Ray Clark, Greg Thompson, Bill McKennariey, Ron Douglas, Stephen Pollitt, Anna Fisher, Stefan Zak, Una Cowdroy.

APOLOGIES:

Bob Missingham, Gail Martin.

Before the meeting commenced, Bill tabled information on a forum in Sydney 29 May 2002 on impact of changes to income support for people with a disability.

MINUTES OF PREVIOUS MEETING:

Moved: Stefan Zak

Seconded: Una Cowdroy

RESOLVED that the meeting held Thursday 21 March 2002 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

1. Outdoor Dining Policy

Disability Access Committee; Outdoor Dining Policy

Memo received from Manager Environment & Health Services. Ross requested we advise Council of our preferred requirements for Outdoor Dining Policy.

Moved: Cr Max Boyd

Seconded: Stefan Zak

Reports from Committees/Working Groups

RESOLVED that, with regard to the Outdoor Dining Policy, clear path of travel on footpaths be 2 (two) metres from property alignment.

RECOMMENDATION:

That Council be advised the Committee's recommendation for the Outdoor Dining Policy be a clear path of travel on footpaths 2 (two) metres from property alignment.

2. Pedestrian Crossing - Cnr Nullum St & Wollumbin St

Ray noted this crossing would not meet RTA warrants for numbers. Committee to review this item in 6 months. No further discussion.

3. Access to Shops at Kennedy Drive

Ross has sent a letter to the real estate agent who manages the shops asking them to consider access. Bill suggested it may be better to contact the owner. Action: Ross to investigate.

4. Attendance at Meetings

Disability Access Committee

Responses to Chairpersons letter tallied. Results indicate majority preference for 3rd Thursday of month, afternoons at an earlier time, and reduction in quorum. Venues to remain.

Moved: Cr Max Boyd

Seconded: Ron Douglas

RESOLVED that times of Committee meetings be moved to 1pm – 3pm.

Moved: Cr Max Boyd

Seconded: Steve Pollitt

RESOLVED that the Disability Access Committee Terms of Reference be amended that a quorum consists of 4 (four) members. This will be reviewed annually.

RECOMMENDATION:

That the Disability Access Committee's Terms of Reference be amended that a quorum consists of 4 (four) members.

Reports from Committees/Working Groups

5. Vantage Point at North Kingscliff

The Committee noted that cost of this would be prohibitive, and difficult due to sand erosion. A letter will be sent to Mr McKenzie when Council endorse previous minutes on this item. Cr Boyd indicated the rock wall behind the bowling club is a good vantage point.

6. Disability Parking Cudgen Headland Surf Life Saving Club

Recommendation in previous minutes to be actioned after next Council meeting.

7. Tweed Bridge Club - Access Ramp

Quotes have been accepted and work to commence shortly.

8. Northern Rivers Area Health Survey

Maggie noted this survey was completed through services from aged interagency. Several calls to NRAH regarding questions have not been returned and the staff member dealing with queries has left. No further discussion.

9. Sealed Footpaths in Darlington Drive

This item is to be actioned after next Council meeting. Ray noted the area Cromer Court to Darlington Drive would cost approx \$4000. It is not in this year's program.

10. Street lighting Chinderah Bay Drive

Ian Harrison phoned to say the lighting outside Heritage Caravan Park could be improved. Ray Clark will call Mr Harrison to find out where exactly the problem is and put it on the agenda for street lighting for next year. Ray noted there is a post outside 13 Chinderah Bay Drive. Ray also requested that lighting enquiries be sent directly to the Traffic Committee.

Reports from Committees/Working Groups

11. Purchase of Building Community Access Standards

If Committee members wish to access this document it is available through Council.

CORRESPONDENCE:

Nil

GENERAL BUSINESS:

12. Disability Parking at Coolangatta Airport

Disability Access Committee; Airport – Coolangatta/Tweed

Cr Boyd informed the Committee that there is no free disability parking at Coolangatta Airport and the disability space near the terminal building has been removed.

Moved: Cr Max Boyd

Seconded: Stefan Zak

RESOLVED that the Committee inform Council of the lack of a disability parking space outside the Qantas terminal.

RECOMMENDATION:

That Council takes action to see that at least one disability parking space is made available in front of the Qantas terminal building.

13. Report from Combined Access Committee Meeting in Lismore

Una, Ross and Bill attended. Bill noted the meeting identified that all areas have the same problems. Ross read his report. This item is to be placed on next agenda for further discussion.

14. International Day of People with a Disability

A working party has been formed from Access Committee members and community representatives to organise this year's celebrations. The working party is organising a bowling tournament for 3 December 2002, and will arrange two workshops with an artist for children to create Christmas decorations and cards. Anna reported that Maclean is holding a drag race for scooters and an art competition.

Reports from Committees/Working Groups

15. Access Budget

Disability Access Committee; Budget

The Committee discussed issues requiring funding that have been raised before the Committee in the past year. It was decided to leave funding of footpaths to Council. It was noted that a local disability accommodation list is necessary and this item will be placed on next agenda. The Committee agreed that issues that require attention are upgrading of disability toilets within the Shire, MLAK locks for some disability toilets and a beach wheelchair for Pottsville. Ross will identify needs for upgrading.

Moved: Ross Cameron

Seconded: Steve Pollitt

RESOLVED that the Committee identify upgrading requirements of disability toilets, and expend annual Access budget funds as follows: beach wheelchair \$3600, MLAK locks \$450, upgrading of disability toilets (cost to be established) and that remaining funds be carried over to next year to support future Access projects.

RECOMMENDATION:

That Council endorses expenditure of the \$10,000 annual Access budget to the following projects:

- beach wheelchair \$3600
 - MLAK keys for disability toilets \$450
 - upgrading of disability toilets – cost to be established.
 - remaining funds be carried over to support future Access projects.
-

16. LGSA Scooter Survey

The LGSA has requested information on the use of motorized scooters in the shire. Maggie, Ross and Ray are collecting the data, and requested that Committee members advise known scooter users to call Maggie at Council.

NEXT MEETING:

The next meeting will be held at the Buchanan Room, Murwillumbah on Thursday 18 July 2002 commencing at 1pm – 3pm.

The meeting closed at 5.40pm

Reports from Committees/Working Groups

Director's Comments:

1. That the Recommendation under Item 1 be noted by Council and referred to DECS for consideration as part of the Outdoor Dining Policy.
It should be noted that this will be difficult to support as other activities (e.g. Ticket selling, busking, street seating, "A" frames and newsagents boards) occur against the property boundary.
2. That Council agrees to the Disability Access Committee's Terms of Reference being amended to have a quorum of members.
3. That Council writes to Gold Coast Airport Limited requesting that they consider providing a disabled carpark space outside the terminal.
4. Council is advised that the recommendation under Item 5 has been approved under delegated authority.

DIRECTOR'S RECOMMENDATIONS:

1. Outdoor Dining Policy

Disability Access Committee; Outdoor Dining Policy

Committee Recommendation:

That Council be advised the Committee's recommendation for the Outdoor Dining Policy be a clear path of travel on footpaths 2 (two) metres from property alignment.

Director's Recommendation:

As per Committee recommendation.

4. Attendance at Meetings

Disability Access Committee

Committee Recommendation:

That the Disability Access Committee's Terms of Reference be amended that a quorum consists of 4 (four) members.

Director's Recommendation:

As per Committee recommendation.

12. Disability Parking at Coolangatta Airport

Disability Access Committee; Airport – Coolangatta/Tweed

Committee Recommendation:

That Council takes action to see that at least one disability parking space is made available in front of the Qantas terminal building.

Director's Recommendation:

As per Committee recommendation.

Reports from Committees/Working Groups

15. Access Budget

Disability Access Committee; Budget

Committee Recommendation:

That Council endorses expenditure of the \$10,000 annual Access budget to the following projects:

- beach wheelchair \$3600
- MLAK keys for disability toilets \$450
- upgrading of disability toilets – cost to be established.
- remaining funds be carried over to support future Access projects.

Director's Recommendation:

As per Committee recommendation.

Reports from Committees/Working Groups

2. Minutes of the Local Traffic Committee Meeting held Thursday 20 June 2002

Traffic Committee

VENUE:

Peter Border Room

TIME:

Commencing at 9.00am.

PRESENT:

Committee Members: Cr George Davidson; Tweed Shire Council; Mike Baldwin, Roads and Traffic Authority; Snr Constable Steve Henderson, NSW Police.

Informal: Chairman: Mr Paul Morgan, Mr Ray Clark and Judith Finch Tweed Shire Council.

APOLOGIES:

Mr Don Page MP, Member for Ballina.

MINUTES OF PREVIOUS MEETING:

RESOLVED that the Minutes of the Local Traffic Committee Meeting held Thursday 16 May 2002 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

BUSINESS ARISING:

1. Piggabeen Road, Piggabeen

R4300 Pt7 DW650295; Piggabeen Rd; Traffic – Speed Zone

This matter was previously discussed by the Local Traffic Committee at its meeting on 14 December 2000 (item 1) and is reproduced as follows:-

“Request received for assistance to alleviate the problem of speeding vehicles along Piggabeen Road past Green Valley Way.

It was decided that a speed survey / traffic count should be performed on Piggabeen Road past Green Valley Way when resources permit. The speed survey will identify the appropriate speed zoning. The other two issues in the Applicant’s letter are being dealt with separately.

Also Council’s mobile radar speed unit will be situated on Piggabeen Road as resources permit.

RECOMMENDATION:

That a speed survey / traffic count be undertaken on Piggabeen Road when resources are available and the applicant be advised accordingly.”

Further correspondence has been received stating that:-

“there have been numerous occasions of vehicles exceeding the speed limit in the residential area of Piggabeen.....The road sign positioned on Piggabeen Road past Cobaki Village Broadwater which indicates no speed limit applies has encouraged drivers

Reports from Committees/Working Groups

to ignore safe driving conditions and frequently drive very dangerously. The Progress Association would like to see the 'no speed limit' sign replaced with 80kph and similar speed signage thereafter to the residential area of Piggabeen”.

At the meeting held on 15 February 2002 the item was further discussed and is reproduced as follows:-

“The Police Representative stated that they had been in attendance on Piggabeen Road in December 2001 and that residents had been advised of the outcome.

The Road Safety Officer suggested that the complainant be advised that the derestricted sign does have a speed limit maximum of 100kph and that there would shortly be a re-education campaign on such signage in rural areas. This was agreed to by the Committee. For Council’s information.”

At the meeting held on 16 May 2002 the item was further discussed and is reproduced as follows:-

“The item has been brought forward again for review of speed survey results.

The speed counts requested have not been finalised. This item is to be resubmitted to the next meeting of the Committee to be held in June.

For Council’s information.”

The Chairman advised that speed count data showed west of Carramar Drive the 85th percentile speed is 80kph in a 60kph zone. The Police Representative advised that this area has been included in the current police action plan for enforcement.

For Council’s information.

9. Coast Road, Pottsville

R1181 Pt12; DW662789; Coast Rd, K’cliff/Wooyung; Traffic - Safety

The following item was discussed at the meeting held on 18 April 2002 (item 9) and is reproduced as follows:-

“Request received for Local Traffic Committee assistance and advice in relation to children crossing Coast Road at the roundabout at the southern end of the Pottsville Beach Primary School. It is also reported that there was an accident recently at the roundabout and the safety rails were knocked down.

Another area of concern is that cars stop to let the children cross but as they were crossing the vehicles started moving forward.

The Committee requested further information. The RSO undertook to visit the site when school recommences and seek advice from the school. To be brought forward to the next meeting. The possibility of removing the “Advisory School Children” sign to another location was discussed and should be assessed.

For Council’s information.”

The Road Safety Officer advised that a site inspection revealed only one child crossing the road. He had also met with the school principal. The principal advised that the school did not have the resources to place flags up and remove them. The Committee noted that there will

Reports from Committees/Working Groups

most probably be a substantial reduction in traffic volumes after the motorway is in operation and given the School's position that no further action is required.

For Council's information.

18. Woodlands Drive, Banora Point

R5975 Pt1; Woodlands Dr

This item (item 18) is brought forward from the meeting held 18 April 2002 and is reproduced below:-

"Late item. The Police Department has received a complaint regarding excessive speed of vehicles along Woodlands Drive.

The Committee requested that traffic counts be undertaken at this location.

To be brought forward to the next Local Traffic Committee meeting."

The Chairman advised that a count had been performed east of Turnberry Street. The 85th percentile speed showed 58kph. 40% of the traffic is travelling between 50 – 60kp. The Police Representative advised that this area has been included for enforcement in the current Police Action Plan.

For Council's information.

GENERAL BUSINESS:

Part A

1. Lochlomond Drive Banora Point

R3085 Pt1 DW674958; Lochlomond Dr; Tree – Removal, Lopping; Traffic Committee

Request received regarding Local Traffic Committee assistance in calming speeding traffic on Lochlomond Drive. It is claimed that speed is excessive downhill from the ridge commencing at about Stonehaven Way with vehicles only slowing when they reach Kildare Drive prior to the roundabout at Darlington Drive. Concerns have been raised by the resident at no. 71 Lochlomond Drive that speeding vehicles could lose control and hit the letterbox and any persons that might be in the vicinity at such time.

It is also reported that there are difficulties with ingress and egress from the driveways of nos. 71 and 84 Lochlomond Drive due to sight distance and speed of vehicles.

A resident has suggested that a traffic calming restraint similar to that installed at the T-junction of Ozone Street and Marine Parade Kingscliff could be a solution to the problem.

The Chairman advised that speed counts showed the 85th percentile near Bonny Glenn was 65kph and the 85th percentile at Shamrock was 58kph and that on average 1,800 vehicles per day used Lochlomond Drive.

Reports from Committees/Working Groups

The Committee noted that the estimated cost of a roundabout would be \$50,000 and 'slow points' such as on Marine Parade would cost \$20,000 each with at least two required. The Committee acknowledged funds are not available for such works and that Council's advisory speed trailer be deployed in the area.

The Committee suggested that no further action be taken at this stage for traffic calming on Lochlomond Drive and that the area be monitored.

For Council's information.

2. **Kyogle Road, Mount Burrell**

R2970 Pt9 DW672229; Kyogle Rd; Cadell Rd

Request received for the provision of a mirror at the corner of Cadell Road and Kyogle Road where the new bridge is being built. It is reported that as vehicles go over the bridge towards Cadell Road and turn right into Cadell Road sight distance is limited to oncoming traffic.

Deferred to the next meeting for a site inspection to be undertaken.

For Council's information.

3. **Kennedy Drive Off-ramp**

R2830 Pt5 DW676539; Traffic – Pedestrian Crossing; Kennedy Dr

Request received for the provision of a pedestrian crossing on the Kennedy Drive off-ramp. It is reported that it is a busy area for pedestrians and they have to wait 5 minutes to cross at this location.

It was noted that the Roads & Traffic Authority warrants are not met for a pedestrian crossing. Traffic speeds are relatively low and pedestrian volumes are not sufficient to meet RTA warrants.

RECOMMENDATION:

That the applicant be advised that the RTA warrants are not met for a pedestrian crossing on the Kennedy Drive off-ramp.

4. **Wharf Street, Tweed Heads**

R5901 DW674957; Wharf St, T Hds; Traffic Committee

Request received for the provision of a 5 minute parking zone outside Wrights Dry Cleaning at 71 wharf Street, Tweed Heads.

The Chairman advised that there is no private off-street parking for the dry cleaners and that public car parking is provided for the benefit of all businesses.

The Committee considers that businesses with special needs such as drop off and set down requirements should provide such facilities on site. It was also noted that 5 minute parking

Reports from Committees/Working Groups

zones are difficult to enforce. The issue of traffic queues generated by the Woolworths Service Station is being pursued.

No action was recommended by the Committee.

For Council's information.

5. Proudfoots Lane, Murwillumbah

R4455 DW673302; Proudfoots Lane; Parking - Illegal

Request / petition received for the parking facilities in Proudfoots Lane that run alongside the TAFE campus to be reverted to all day parking. It is presently 2 hour parking. The following reasons are documented within the petition as follows:-

1. Now that the lane is one way it is not congested and there is now plenty of room to park safely.
2. Existing parking for students is extremely limited.
3. Students have materials to transport from vehicles to the classroom which can be bulky items.
4. It is claimed that the laneway could provide around 40 more spaces.
5. Other users of parking in Proudfoots Lane do not have heavy items to carry.

The Committee noted that there is 2 hour parking in the laneway. It was noted by the Committee that parking in the public realm is provided for all road users and time limits are offered that provide the greatest benefit to the surrounding land uses that create the demand for parking. A review is presently under way of parking requirements in this area.

The Road Safety Officer recommended that the student body approach the TAFE to allocate designated drop off and pick up areas on site where it was observed that such a facility could easily be provided.

RECOMMENDATION:

That the applicant be advised that:-

1. Parking time restrictions are being reviewed in Murwillumbah Street and Queensland Road.
 2. The Student Body should approach the TAFE to allocate a designated drop off and pick up area within the TAFE car park.
-

6. Tweed Coast Road, Bogangar

R1181 Pt12; DW679138; Coast Rd, K'cliff/Wooyung; Pedestrian Crossing

Appointment for Mr Will Kerkhof (Development Manager – Scouts Queensland) to attend this meeting at 9:45am. Mr Kerkhof is concerned that up to 100 children are crossing Tweed Coast Road at Camp Wollumbin during camps.

Reports from Committees/Working Groups

Mr Kerkhof tabled a location map of the area and stated that the Tweed Coast Road is an 80kph zone with the beach on the other side of the road. School groups have to cross the road to go to the beach taking an average of 4 – 5 minutes for a single person to cross. He requested a system or pedestrian crossing to allow safe crossing. School groups of around 200 children in the week and 50 – 100 on weekends are a regular occurrence.

Mr Kerkhof reported that currently they cross en-masse and there are no formal systems in place however there are always adults with the children.

The RTA Representative advised that pedestrian crossings cannot be installed in 80kph zones and that for pedestrian crossing the speed zone has to be 60kph or less. The Committee noted that there is no other development at that location to help slow drivers down or warrant a lower speed limit.

The Chairman advised that in the past warning signs have been installed that could be folded down after use. The Committee noted that the previous operators did not close them. The Chairman advised that a crossing has to be an overbridge or underpass and the Committee noted that both are expensive and Council does not have the funds to cater for individual developers and their needs. Mr Kerkhof was advised that if this was a new development the developer would be requested to provide such facility.

The Chairman advised that the Tweed Coast Road will be re-constructed in about 12 months time (May 2003) and the plan includes a pedestrian underpass which is unfunded and approximate cost is \$70,000. Mr Kerkhof advised that this would be too much for the Scouts to fund. Mr Kerkhof was advised that it may be worth canvassing federal and state politicians and that if they could fund at least 50% of the cost they could make a submission to Council.

Mr Kerkhof advised that there is an international walking track from the beach through the property. Cr Davidson advised that he believed that this was not encouraged and the gate is normally closed from public use. Cr Davidson stated that the Camp is poorly signed. Mr Kerkhof recognised this and stated that this would be improved. The Chairman advised that signs stating “Camp Wollumbin 300m on left” or right would be standard signs and the children signs being actively opened and closed would be of benefit.

The Chairman advised that the fold down signs could be upgraded to reflective signage if a commitment could be gained from the Scouts to actively close them when not in use. Mr Kerkhof undertook to arrange to have this done.

RECOMMENDATION:

That signage for Camp Wollumbin on the Tweed Coast Road be investigated for improvement subject to written advice from Scouts Australia that the signs will operate properly.

Reports from Committees/Working Groups

7. Marine Parade Kingscliff

DW678072; Surf Lifesaving; Disability Access C'tee

Request received for the placement of an elevated sign at the Cudgen Headland Surf Club indicating a disabled persons parking space.

RECOMMENDATION:

That post mounted signage be installed at the existing disabled persons parking space at Cudgen Headland Surf Club.

8. Darlington Drive, Banora Point

R1540 Pt3, DW677554; Darlington Dr; Leisure Dr; Traffic - Roundabouts

Request received for the possible construction of a median strip to prevent right turning traffic into Winders Lodge from Darlington Drive, where traffic has exited the roundabout near the highway at the northern exit of Sextons Hill, while traffic is traversing a left hand sweeper curve heading towards Banora Point shops.

The Committee noted that widening this section of Darlington Drive to four lanes is being investigated by Council and that a central median may be part of the design. It was decided that the issue should be deferred until Council considers a report from the Engineering Services Division on the Leisure Drive / Darlington Drive upgrade project expected to be in August 2002.

For Council's information.

9. McAllisters Road, Bilambil Heights

R3130; McAllisters Rd; Traffic - Safety

Request received that the Committee consider the approval of the installation of a convex safety mirror for drivers exiting McAllisters Road Bilambil Heights to increase sight distance of vehicles approaching the intersection from Bilambil Road.

The Road Safety Officer advised that there is a submission for Black Spot funding at this location which does not meet the criteria and there is a design for a roundabout in the area (unfunded).

Counts show that the 85th percentile is 56kph on the approach. The RTA Representative advised that the installation of a safety mirror could be appropriate in this case and that it should be trialled and monitored.

RECOMMENDATION:

That a safety mirror be installed at McAllisters Road and that the situation be monitored.

Reports from Committees/Working Groups

10. Enid Street, Tweed Heads

R1910 Pt2; Traffic – Pedestrian Crossings; Enid St

Request received for a children's crossing supervisor at St Joseph's Primary School, Enid Street, Tweed Heads.

Counts completed by Council showed 104 pedestrians and 236 vehicles in a one hour period. The RTA Representative advised that this does not meet the warrants and suggested a request be forwarded to the RTA Regional Office for a hazard risk assessment to be undertaken based on the site constraints and the survey results above.

RECOMMENDATION:

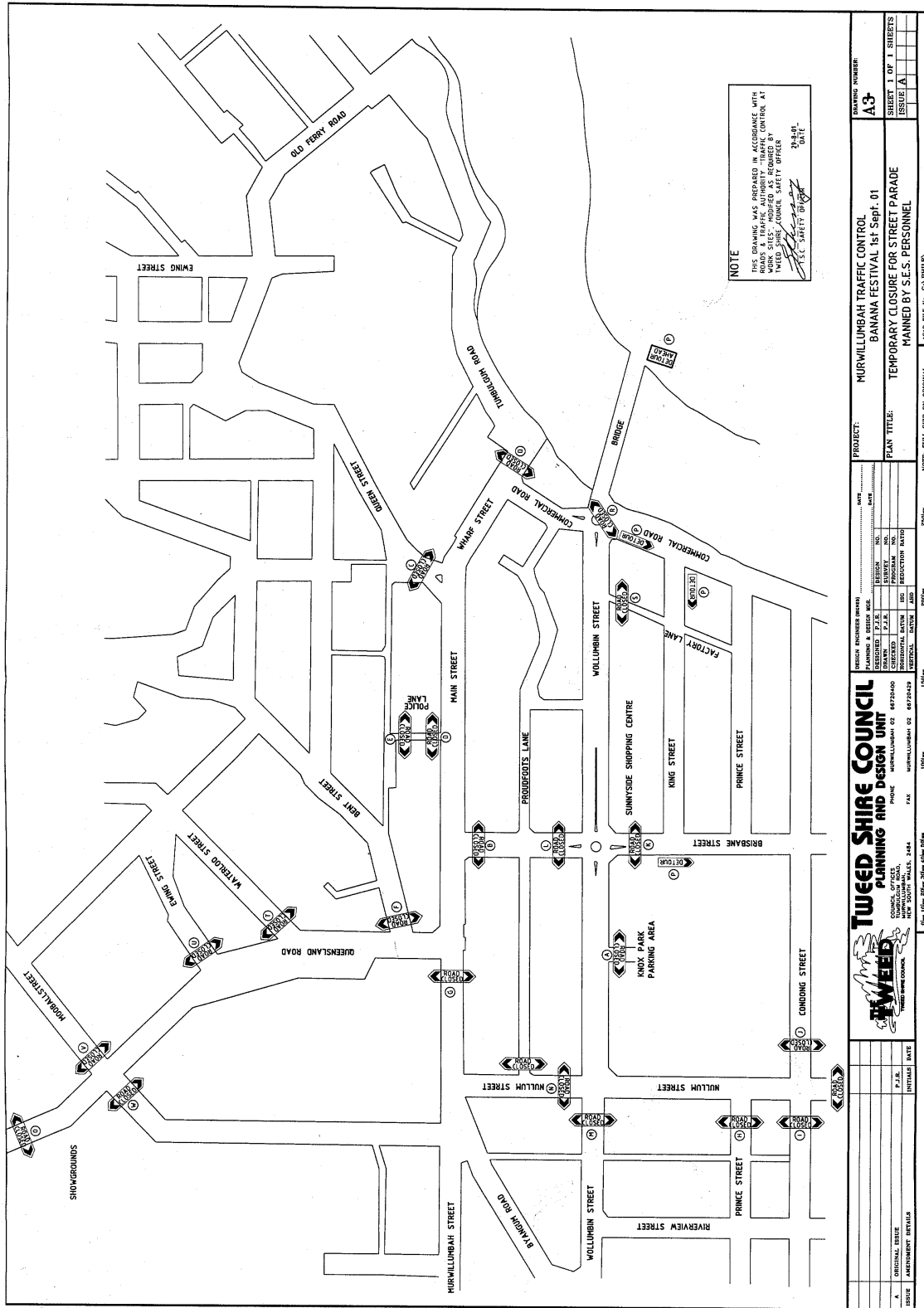
That a letter be sent to the RTA Regional Office requesting a hazard risk assessment at Enid Street for the provision of a children's crossing supervisor at St Joseph's Primary School.

11. Tweed Valley Banana Festival & Harvest Week

DW 678728; Tweed Valley Banana Festival; Roads – Closures - Temporary

Request received for temporary road closures for the Festival Street Parade in Murwillumbah on Saturday 31 August 2002 from approximately 11:30am to 1:00pm. SES will be controlling the traffic and Lions Club will be marshalling the floats in Nullum Street. The traffic control plan is shown below:-

Reports from Committees/Working Groups



| | | | |
|---|--|--|--|
| DRAWING NUMBER: A3 | | PROJECT: MURWILLUMBAH TRAFFIC CONTROL BANANA FESTIVAL 1st Sept. 01 | |
| SHEET 1 OF 1 SHEETS | | PLAN TITLE: TEMPORARY CLOSURE FOR STREET PARADE MANNED BY S.E.S. PERSONNEL | |
| ISSUE A | | NOTE: FILE SIZE ON ORIGINAL: A3D FILE IN C:\SYTHAN | |
| <p>TWEED SHIRE COUNCIL PLANNING AND DESIGN UNIT COUNCIL OFFICES 100 WOLLUMBIN STREET MURWILLUMBAH NSW 2484 TEL: 066-232-2222 FAX: 066-232-2222</p> | | | |
| DESIGNER: [] DATE: [] | | CHECKED: [] DATE: [] | |
| DRAWN: [] DATE: [] | | SCALE: [] | |
| PROJECT NO: [] | | SHEET NO: [] | |
| DRAWING NO: [] | | ISSUE NO: [] | |
| DATE: [] | | SCALE: [] | |
| PROJECT NO: [] | | SHEET NO: [] | |
| DRAWING NO: [] | | ISSUE NO: [] | |
| DATE: [] | | SCALE: [] | |
| PROJECT NO: [] | | SHEET NO: [] | |
| DRAWING NO: [] | | ISSUE NO: [] | |
| DATE: [] | | SCALE: [] | |

Reports from Committees/Working Groups

RECOMMENDATION:

That the road closures for Wharf Street, Main Street, Police Lane, Factory Lane, Queensland Road, Commercial Road between Wharf and Wollumbin Streets, Nullum Street between Wollumbin and Condong Streets and Brisbane Street between Sunnyside Shopping Centre and Main Street for the Tweed Valley Banana Festival & Harvest Week to be held on Saturday 31 August 2002 from approximately 11:30am to 1:00pm be approved subject to normal permissions from Police, Emergency Services and advice to local businesses.

12. Wooyung Nature Reserve DW664284; R1181 Pt12; Coast Rd; NPWS; Walking Trails; Single Coast Reserve; Traffic Committee

The NSW National Parks & Wildlife Service assumed control of the Wooyung Nature Reserve on the 1 January 1999 and has since undertaken development including rationalising pedestrian beach access, constructing visitor facilities and regeneration works. They advise that the area is now becoming a popular site for low-key passive recreation.

The NPWS is concerned that vehicle access from the reserve is difficult and may pose a risk to users. Of particular concern are the following:-

1. The 100km/h speed limit along the Tweed Coast Road both leading to and exiting from the reserve.
2. The lack of advisory / caution signs advising drivers on the Coast Road of the presence of vehicles turning into and exiting the reserve.
3. The lack of adequate sight distance to allow drivers leaving the reserve to do so safely.
4. The lack of a formal turning bay to allow drivers to access and exit the reserve safely.

The Committee noted the concerns of the National Parks & Wildlife Service however it is not appropriate to reduce the speed zone as it is a rural area. The NPWS as the developer of the works creating the problems is considered responsible to access the impacts on traffic flow and safety as part of any upgrading or development that they undertake and should immediately undertake a traffic management study and report addressing the issues such as sight distance and needs for turning lanes. In the meantime it is noted that sight distance is poor but with some minor removal of vegetation sight distance could be improved to comply with Roads & Traffic Authority standards.

RECOMMENDATION:

That Council advises National Parks & Wildlife Service that:-

1. It is not appropriate to reduce the speed zone as the Tweed Coast Road is a rural area and would not be approved by the Roads & traffic Authority.
2. The National Parks & Wildlife Service should immediately undertake a traffic management study and report addressing the issues such as sight distance and needs for turning lanes.

Reports from Committees/Working Groups

3. Some minor removal of vegetation on both sides of the access driveway should be undertaken to provide safe sight distance
-

13. Machinery Drive, Tweed Heads South

R3250 Pt2 DW675202; Machinery Dr; Traffic – Linemarking; 3250.225

Request received for assistance with difficulty being experienced by tenants and clients to gain access to and from the parking area at 2 Machinery Drive, Tweed Heads South. There are 8 commercial units (shops and offices) and it is leased to five tenants. The adjoining parking has 19 car spaces. As the site is approximately 30 metres from the traffic lights located on the Pacific Highway considerable difficulty is being experienced by tenants and their clients to gain access to and from the parking area with any degree of safety.

A suggestion has been received that white lines and a 'Keep Clear' sign be installed at the parking area entrance.

It is reported that traffic banks up for about 100 metres before the lights in Machinery Drive making it virtually impossible to enter and leave the area.

It is also reported that there have been accidents at this location and all tenants at the property have complained about the inability of their clients to access and exit the property due to the traffic standing across the driveway entrance.

The Committee noted the concerns however the RTA Representative stated that this is a private driveway and that signage and road marking cannot be authorised for private driveways.

For Council's information.

14. Frances Street, Tweed Heads

R2131 Pt2; Frances St; Pedestrian Crossings

Request received for the provision of a marked pedestrian crossing at the end of the walkway from McGregor Place to Tweed Mall. Results of survey to be tabled at this meeting.

Counts showed RTA warrant levels at 18,000 for 1 hour 63,000 next hour and 33,453 next hour. From the preliminary counts the provision of a pedestrian crossing is marginal and more detailed counts need to be taken.

To be deferred to the next meeting for the provision of further counts.

For Council's information.

Reports from Committees/Working Groups

15. Boyd & Brett Street Tweed Heads

R0700 Pt1; R0740 Pt2; Boyd St; Brett St

Late agenda item. The Chairman advised that the intersection has been improved by changing 'Giveaway' signs to 'Stop' signs and increasing the 'No Stopping' zone on the Boyd Street approaches. The Committee noted that the Police are requesting a 'dome' roundabout at this location pending the outcome of funding. The RTA Representative advised that funding timing was unknown for the Blackspots Program.

The Committee requested that Council write to the RTA Regional Office seeking funds for the installation of a 'dome' roundabout at this location.

RECOMMENDATION:

That:-

1. A letter be sent to the RTA Regional Office seeking funds for the installation of a 'dome' roundabout at the intersection of Boyd & Brett Streets, Tweed Heads.
2. The 'Stop' signs on Brett Street at Boyd Street and 'No Stopping' zones be endorsed.

Part B

1. Minjungbal Drive, Tweed Heads (Homemart)

DA4030/2822 Pt15; K00/264

The following item is brought forward (item 1) from the meeting held 16 May 2002 and is reproduced as follows:-

"Request for modification of Condition 33 of Development Consent K00/264 which contains several sub-clauses dealing with vehicular and pedestrian traffic.

The Developer requests reassessment of the conjoined left in/left out access at the southern end of complex and well as provision of a covered walkway.

The applicant proposes to install stop signs at the internal "T" intersection for the service station traffic onto the main access road. Potential conflict with the internal traffic flows in the development. The traffic exiting the service station would be too close to the traffic entering from Minjungbal Drive which creates the high potential for collisions with volumes entering via the left in. The potential queuing on Minjungbal Drive could create a traffic hazard for through traffic, therefore the Committee did not support the modification.

The Committee did not support the request for the following reasons:-

- a) *The exit lane from the service station is too close to the proposed left in entry, which has the potential to cause accidents due to the very short distance between the two movements.*
- b) *Vehicles exiting the service station exit may potentially block the left entry from Minjungbal Drive while cars in front attempt to enter the traffic flow on Minjungbal Drive. Thereby creating queues of traffic waiting to enter the site from Minjungbal*

Reports from Committees/Working Groups

Drive. The Committee did note however, in this regard, the kerb side parking lane could be used as a queuing area.

- c) *The service station building is constructed in such a manner that it limits sight distance to a few metres for traffic travelling south along the main spine access within the shopping complex. It was considered that this is a major safety issue if high volumes of traffic started to head west as a result of the proposed left in at Minjungbal Drive.*
- d) *The Committee noted that the current configuration was built around the owner's design and that the proposed modification was clearly not catered for in the original design and does not comply with the relevant sight distance requirements and queuing areas.*

For Council's information."

Mr Pat Casey and Mr Don Bilton (PRD Developments) attended at 9:15am to discuss the matter further. Mr Casey stated that he believed discussion should focus on the design issues. The concerns were in relation to vehicles crossing the proposed inwards turn and vehicles turning in from Minjungbal Drive which could be addressed by appropriate traffic control restrictions. Sketches of the proposal were tabled by Mr Casey where raised medians (shown by painted medians on the sketch) could become physical constraints together with a speed bump on the Stop line where vehicles exit which should address the issue of standing vehicles where vehicles are turning in. It was stated that traffic numbers should not change as the traffic is being redistributed. A centre line is also to be painted. Mr Casey suggested that "No Stopping" signs should be installed through to the service station as well as near the bus zone.

Mr Casey requested that the 80kph speed zone needed to be resolved. The RTA Representative advised that this would be assessed.

The Chairman advised that parking restrictions would be reviewed.

The Committee resolved that:-

1. No Stopping signs be installed for the full frontage of the development on Minjungbal Drive.
2. Pavement arrow markings and adjustments to edge lines be made
3. The access road adjacent to the service station be made one-lane southbound and separation of a minimum of 6 metres be provided between Minjungbal Drive and the service station egress.

For Council's information.

NEXT MEETING:

The next meeting is scheduled for Thursday 18 July 2002.

The meeting closed at 11:25am

Reports from Committees/Working Groups

Director's Comments:

NIL

DIRECTOR'S RECOMMENDATIONS:

- 3. Kennedy Drive Off-ramp
R2830 Pt5 DW676539; Traffic – Pedestrian Crossing; Kennedy Dr**

Committee Recommendation:

That the applicant be advised that the RTA warrants are not met for a pedestrian crossing on the Kennedy Drive off-ramp.

Director's Recommendation:

As per committee recommendation.

- 5. Proudfoots Lane, Murwillumbah
R4455 DW673302; Proudfoots Lane; Parking - Illegal**

Committee Recommendation:

That the applicant be advised that:-

1. Parking time restrictions are being reviewed in Murwillumbah Street and Queensland Road.
2. The Student Body should approach the TAFE to allocate a designated drop off and pick up area within the TAFE car park.

Director's Recommendation:

As per committee recommendation.

- 6. Tweed Coast Road, Bogangar
R1181 Pt12; DW679138; Coast Rd, K'cliff/Wooyung; Pedestrian Crossing**

Committee Recommendation:

That signage for Camp Wollumbin on the Tweed Coast Road be investigated for improvement subject to written advice from Scouts Australia that the signs will operate properly.

Director's Recommendation:

As per committee recommendation.

- 7. Marine Parade Kingscliff
DW678072; Surf Lifesaving; Disability Access C'tee**

Committee Recommendation:

That post mounted signage be installed at the existing disabled persons parking space at Cudgen Headland Surf Club.

Director's Recommendation:

As per committee recommendation.

Reports from Committees/Working Groups

9. McAllisters Road, Bilambil Heights

R3130; McAllisters Rd; Traffic - Safety

Committee Recommendation:

That a safety mirror be installed at McAllisters Road and that the situation be monitored.

Director's Recommendation:

As per committee recommendation.

10. Enid Street, Tweed Heads

R1910 Pt2; Traffic – Pedestrian Crossings; Enid St

Committee Recommendation:

That a letter be sent to the RTA Regional Office requesting a hazard risk assessment at Enid Street for the provision of a children's crossing supervisor at St Joseph's Primary School.

Director's Recommendation:

As per committee recommendation.

11. Tweed Valley Banana Festival & Harvest Week

DW 678728; Tweed Valley Banana Festival; Roads – Closures - Temporary

Committee Recommendation:

That the road closures for Wharf Street, Main Street, Police Lane, Factory Lane, Queensland Road, Commercial Road between Wharf and Wollumbin Streets, Nullum Street between Wollumbin and Condong Streets and Brisbane Street between Sunnyside Shopping Centre and Main Street for the Tweed Valley Banana Festival & Harvest Week to be held on Saturday 31 August 2002 from approximately 11:30am to 1:00pm be approved subject to normal permissions from Police, Emergency Services and advice to local businesses.

Director's Recommendation:

As per committee recommendation.

12. Wooyung Nature Reserve

DW664284; R1181 Pt12; Coast Rd; NPWS; Walking Trails; Single Coast Reserve; Traffic Committee

Committee Recommendation:

That Council advises National Parks & Wildlife Service that:-

1. It is not appropriate to reduce the speed zone as the Tweed Coast Road is a rural area and would not be approved by the Roads & Traffic Authority.
2. The National Parks & Wildlife Service should immediately undertake a traffic management study and report addressing the issues such as sight distance and needs for turning lanes.
3. Some minor removal of vegetation on both sides of the access driveway should be undertaken to provide safe sight distance

Director's Recommendation:

As per committee recommendation.

Reports from Committees/Working Groups

15. Boyd & Brett Street Tweed Heads

R0700 Pt1; R0740 Pt2; Boyd St; Brett St

Committee Recommendation:

That:-

1. A letter be sent to the RTA Regional Office seeking funds for the installation of a 'dome' roundabout at the intersection of Boyd & Brett Streets, Tweed Heads.
2. The 'Stop' signs on Brett Street at Boyd Street and 'No Stopping' zones be endorsed.

Director's Recommendation:

As per committee recommendation.

Reports from Committees/Working Groups

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

3. Notes of Meeting – Gold Coast City Council/Tweed Shire Council held 30 May 2002 at Tweed Heads
 4. Minutes of the Sports Advisory Committee Meeting held Tuesday 18 June 2002
-

Workshops

Councillors,

Following are details of upcoming Workshops of Council:-

1. TACTIC Strategic Plan Workshop (TENTATIVE)

Date: Wednesday 10 July 2002

Time & Duration: 7.30-8.30pm

Organiser: Ian Carpenter

Resolved by Council: No

2. Draft Kingscliff Centres Study Workshop

Date: Sunday 14 July 2002

Time & Duration: 9.30-4.30pm

Organiser: Doug Jardine

Resolved by Council: No

Workshops

THIS
PAGE
THIS
PAGE
IS
IS
BLANK
BLANK

