

Items for Consideration of Council

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Items for Consideration of Council

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Schedule of Outstanding Resolutions

18 DECEMBER 2002

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

28a. Surf Life Saving Services - Casuarina Beach

Surf Life Saving; Casuarina Development

604

Cr Youngblutt

Cr Davidson

RESOLVED that

3. The Director Development Services and Director Environment & Community Services in the long term considers and develops a policy in regard to the responsibility and obligations where a private developer proposes to pay for the provision of surf lifesaving services. This policy should also consider any necessary conditions of consent for future developments.

Current Status: Awaiting strategy report from NSW Surf Life Saving Association.

18 JUNE 2003

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

9. Draft Development Control Plan No 16 - Subdivision Manual

GT1/DCP/16 Pt2; Subdivision Policy; Development Control Plan - DCP

511

Cr Boyd

Cr Youngblutt

RESOLVED that Council holds a workshop and inspections of sites in relation to Development Control Plan No. 16.

Current Status: Workshop to be organised.

Schedule of Outstanding Resolutions

9 SEPTEMBER 2003

REPORTS FROM DIRECTOR ENGINEERING SERVICES

14. Maintenance Limits - Glengarrie Road

R2230; Glengarrie Road; Roads - Maintenance Program

758

Cr Boyd

Cr Carroll

RESOLVED that this item be deferred to allow the resident to address Community Access.

Current Status: Report to be prepared for Meeting on 15 October 2003.

REPORTS FROM COMMITTEES/WORKING GROUPS

2. Minutes of the Tweed Shire Council Disability Access Committee Meeting held Thursday 17 July 2003

Disability Access Committee

Business Arising:

8. Regional Access Meeting

Disability Access Committee; LN 19297; No. 27 Ewing Street

769

Cr Boyd

Cr Carroll

RESOLVED that Council requests a report be brought forward on conducting an "access" survey.

Current Status: Report to be prepared.

8. Travel Funding for Committee Members

Disability Access Committee; Budget

772

Cr Boyd

Cr Carroll

RESOLVED that a report be brought forward to Council in the impacts of the allocation of a proportion of funds from the Disability Access Budget.

Current Status: Report to be prepared.

Schedule of Outstanding Resolutions

ORDERS OF THE DAY

1. Cudgen Creek

Estuary Management; Cudgen Creek

803

Cr Polglase

Cr Marshall

RESOLVED that a report be prepared in regard to Cudgen Creek addressing the issue of siltation/navigation in conjunction with the upcoming review of the Estuary Management Plan.

Current Status: Referred to Tweed Coastal Committee for inclusion in Estuary Management Plan.

Schedule of Outstanding Resolutions

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Mayoral Minute

Councillors,

1. Speed on Tweed

Speed on Tweed

18 September – launch of Speed on Tweed at Murwillumbah Showground

2. Bogangar/Cabarita Beach Advisory Steering Committee

Cabarita Precinct Plan

18 September – meeting of Bogangar/Cabarita Beach Advisory Steering Committee at Cabarita

3. Speed on Tweed

Speed on Tweed

19 September – Speed on Tweed Street Parade Murwillumbah

4. Speed on Tweed

Speed on Tweed

20 September – Speed on Tweed Historic Races

5. Tweed River Festival

Tweed River Festival

23 September – meeting with Tweed River Festival Committee at Murwillumbah

6. Rates Incentive Promotion

Rates Incentive Scheme

23 September – presentation of car to winner of Council's Rates Incentive promotion

Mayoral Minute

7. Industrial Development West Tweed

Industrial Development General

23 September – attended rally of community group to discuss Industrial Development at West Tweed

8. Business Excellence

Councillors' Invitations

23 September – Business Excellence Dinner at Tweed Heads

9. Murwillumbah Pool

Murwillumbah Pool

24 September – meeting with members of Rotary concerning proposed changes to Murwillumbah Pool and Car Park and Hydrotherapy Pool

10. Tweed Masonic Lodge

Councillors' Invitations

25 September – meet with Alan Walker at Tweed Heads

11. Tweed Futures

Tweed Futures

25 September – meeting re Tweed Futures with Self Funded Retirees at Tweed Heads

12. UNCLE Organisation

Children's Matters

25 September – meet with Director of Boys Town

13. Speed on Tweed

Speed on Tweed

25 September – function for volunteers for Speed on Tweed

Mayoral Minute

14. Lindisfarne Anglican School

Councillors' Invitations

25 September – Lindisfarne Year 12 Graduation Formal at Surfers Paradise

15. Murwillumbah Combined Churches

Councillors' Invitations

26 September – Breakfast with Murwillumbah Year 12 students organised by the Murwillumbah Combined Churches

16. Tweed District Soccer

Councillors' Invitations

27 September – Tweed Soccer Grand Finals at Tumbulgum

17. Tweed Taskforce

Tweed Heads Ministerial Taskforce

29 September – Meeting of Tweed Taskforce Jack Evans Boat Harbour Steering Committee at Tweed Heads

18. Councillors/Directors/Managers Christmas Party

Councillors' Invitations

5 December – Christmas Party for Councillors, Directors and Managers at the Murwillumbah Civic Centre

INVITATIONS ACCEPTED:

- 6 October – Tweed Futures Meeting Banora Point Residents at Tweed
 - 7 October – Preview TACTIC New Destination Marketing Campaign & TV Commercials at Tweed
 - 8 October – Institute of Business Leaders Corporate Club Lunch at Surfers Paradise
 - 9 October – NRACC meeting in Ballina
-

Mayoral Minute

INFORMATION ON CONFERENCES TO BE HELD – councillors to advise Mayoral Assistant Jan Green if they wish to attend and/or require further details:

- Planning Institute Australia – “Taking Planning to New Heights” – Thredbo 28-31 October 2003
 - Northern Rivers Mosquito Forum – 21 October at Coraki
-

ABSENCES FROM SHIRE BY EXECUTIVE, MANAGERS AND COUNCILLORS

EXECUTIVE

| Name | Period | Location | Details |
|------|-----------------|----------|--|
| DES | 7 October 2003 | Mackay | Addressing State Conference IPWEA Qld at invitation of IPWEA Qld |
| GM | 13 October 2003 | Lismore | GM's Group Meeting |
| GM | 24 October 2003 | Sydney | LGMA General Managers Forum |

Items Deferred

ITEM DEFERRED FROM MEETING HELD 16 JULY 2003

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

13. *Amendment to Development Control Plan 39 - Energy Smart Homes
DCP; Energy Efficient Housing; GT1/DCP/39 Pt1*

619

Cr Boyd

Cr Marshall

RESOLVED that Council defers consideration and adoption of Development Control Plan No 39, Amendment No 1, for a period of three (3) months.

13. ORIGIN: Environment & Health Services Unit/Strategic Town Planning Unit

FILE REF: Development Control Plan; DCP 39; GT1/DCP/39 Pt1

REPORT TITLE:

Amendment to Development Control Plan 39 - Energy Smart Homes

SUMMARY OF REPORT:

On 2 April 2003, Council resolved to prepare and exhibit Development Control Plan No 39 (Amendment No 1) – Energy Smart Homes Policy. The purpose of the amendment was to remove Section 4.9 - Water Heating to enable new home owners to install a water heating system regardless of its energy efficiency.

Submissions to the amendment were received from Maroochy Shire Council, Queensland Conservation Council, Brisbane City Council, Solahart Energy Saving Centre and the NSW Sustainable Energy Development Authority (S.E.D.A).

In addition to its submission, S.E.D.A have indicated that the S.E.D.A \$500 discount for solar hot water systems and heat pump hot water systems will remain in place until at least September 2003 and that new home-buyers will only be eligible for this discount if their council requires the installation of a greenhouse efficient hot water system.

RECOMMENDATION:

That Council defers consideration and adoption of Development Control Plan No 39, Amendment No 1, for a period of three (3) months.

Items Deferred

REPORT:

In April 2000 Tweed Shire Council adopted Development Control Plan No 39 – Energy Smart Homes Policy under the direction of the NSW Sustainable Energy Development Authorities (S.E.D.A's) 'Energy Smart Homes Program'.

On 2 April 2003 Council resolved to prepare and exhibit Development Control Plan No. 39 (Amendment No. 1) – Energy Smart Home Policy. The purpose of Amendment No 1 was to remove Section 4.9 Water Heating from the plan and thus remove Council provisions that require new homeowners to install a greenhouse efficient water heating system in the construction of a residential dwelling.

A copy of Council's resolution is attached.

PLANNING ISSUES

Current controls are economically disadvantaging new home buyers in the Tweed Shire when compared to residents elsewhere in New South Wales by requiring residents to install greenhouse efficient water heating systems. The Tweed Shire being mostly unserved by reticulated gas forces residents to install either solar or heat pump hot water systems which are significantly more expensive to purchase than gas or electric hot water systems or to install bottled gas hot water systems which are more costly to operate.

In support of the amendment six other local Council's in New South Wales have adopted an Energy Smart Homes Policy without including a requirement for residents to install a greenhouse efficient hot water system.

SUBMISSIONS

The draft Plan was exhibited for 28 days beginning on Wednesday 7 May 2003. Submissions relating to the amendment were received from Maroochy Shire Council, Queensland Conservation Council, Brisbane City Council, Solarhart Energy Saving Centre and the NSW Sustainable Energy Development Authority.

A copy of each submission is attached.

The issues identified in the submissions include:

- Global warming and the emission of greenhouse gases into the atmosphere is becoming increasingly recognised as an important issue by governments and the communities around the world.
- Australia is the world's highest emitter of greenhouse gases per capita.
- Hot water use accounts for nearly 40% of an Australian households energy consumption.
- Installing an energy efficient hot water system enables a saving of 5 tonnes of greenhouse gas per household per annum.
- Appropriate policies to reduce the level of household energy consumption is one way of reducing greenhouse gas emissions and household running costs.
- 15 of the 50 N.S.W Councils with an energy efficient hot water component to their DCP do not have access to a reticulated gas supply.

Items Deferred

- By comparison, solar hot water systems are the most cost effective of all systems to install and operate – even where reticulated gas is available.
- A discount of up to \$1000 from the Commonwealth Government still applies for installing an energy efficient hot water system.

In addition S.E.D.A have indicated that:

- The \$500 discount for solar hot water systems and heat pump hot water systems is expected to remain in place until at least September 2003.
- 265 discount vouchers valued at \$132,500 have been distributed to new home buyers in the Tweed Shire since DCP 39 was adopted in 2000.
- If s4.9 of DCP 39 is removed new home buyers in the Tweed Shire will not be eligible for the \$500 discount.

However, it is unclear how the adoption of the Plan, as exhibited, will affect existing holders of S.E.D.A vouchers.

As Council is aware, representatives from the Master Builders Association and the NSW Sustainable Energy Development Authority addressed Council's Community Access Meeting held on 9 July 2003 and outlined the current situation involving recent initiatives with the building industry to make the installation of solar hot water systems a more cost effective proposition.

In light of this, they suggested that Council defer a decision regarding the adoption of Amendment No 1 to Development Control Plan No 39 for a period of three months to enable further approaches to be made to the industry and for some additional initiatives to be pursued to resolve the current objections in relation to certain elements of the DCP.

OPTIONS

To resolve the identified planning issues and those raised by received submissions, Council should proceed with one of the following options: -

1. Defer consideration and adoption of Amendment No 1 to the Development Control Plan for a period of three (3) months.
2. Proceed with the exhibited plan in accordance with Council's resolution of 2 April 2003.
3. Proceed with the plan as amended by the following: -

“Section 4.9 Water Heating Systems

Background Principles

In many instances water heating is the biggest greenhouse gas generator in the home. Greenhouse gas is recognised universally as a key contributor to global warming. Therefore, new home owners should be encouraged to install a greenhouse efficient water heating system.

Objective

- *To require the installation of greenhouse efficient water heating systems and water efficient devices that minimise greenhouse gas generation.*

Items Deferred

Preferred Outcomes

- *All dwellings should be fitted with an energy efficient hot water system which achieves a minimum greenhouse efficiency rating of 3.5 stars provided that they are cost effective when compared to the installation and running costs of a traditional electric hot water system.*
- *Hot water storage should be located close to the most used hot water outlets (generally the kitchen) and household service areas should be grouped together to shorten hot water pipe runs.”*

CONCLUSION:

The total cost of a hot water system includes the purchase price, installation costs and, most significantly, the cost to run the system.

Cost comparisons between electric hot water systems and solar hot water systems indicate that solar is by far the more cost effective over the life of the home. A higher purchase price is more than compensated by the reduced running costs. In addition, a solar hot water system will reduce greenhouse gas generation by approximately 5 tonnes per annum. With 1.6% of NSW Development Applications in the Tweed Shire, this represents an annual abatement of over 2600 tonnes of greenhouse gases from Tweed households.

Given that Australia is the highest emitter of greenhouse gases (per capita) in the world, the requirement to install a greenhouse efficient hot water system that will save residents money over the life of their home is both economically viable and socially responsible.

In the circumstances identified at Council's Community Access Meeting, Option 1 is recommended to defer further consideration and/or adoption of the DCP for a period of three months.

Items Deferred

ITEM DEFERRED FROM MEETING HELD 17 SEPTEMBER 2003

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

5. *S82A Review for Development Application DA02/0447.01 for a Two Lot Residential Subdivision at Lot 2 DP 872747, Terranora Road, Terranora*

DA02/0447 Pt1; LN 40488

794

Cr James

Cr Davidson

RESOLVED that this item be deferred for a further report to be brought forward to Council.

5. **ORIGIN: Development Assessment Unit**

FILE REF: DA02/0447 Pt1; LN 40488

REPORT TITLE:

S82A Review for Development Application DA02/0447.01 for a Two Lot Residential Subdivision at Lot 2 DP 872747, Terranora Road, Terranora

SUMMARY OF REPORT:

Council is in receipt of a S82A Review requesting Council to review its determination of the S96 Application DA02/0447.01.

The S96 Application related to a two lot residential subdivision and specifically requested an amendment to condition 12 (relating to headwork charges) and the deletion of condition 7 (relating to a right of carriage way). The S96 application was determined by granting the requested amendment to condition 12 relating to headworks charges, as it was determined that the applicants argument for a dispensation was appropriate, however, the applicants request to remove condition 7 was denied based on the requirements contained with DCP 16 – Subdivision Manual.

This S82A Review requests that Council review its determination of the S96 Application by subsequently deleting condition number 7. It is recommended that the development proposal should comply with the provisions of DCP 16 – Subdivision Manual and hence condition 7 should be retained.

Consequently the determination of the S96 Application should be upheld and the S82A Review should be refused.

RECOMMENDATION:

That the determination of the S96 Application be upheld and the S82A Review of Development Application DA02/0447.01 for a two lot residential subdivision at Lot 2 DP 872747, Terranora Road, Terranora be refused for the following reason:

1. Deletion of condition 7 would be contrary to Development Control Plan No. 16 – Subdivision Manual.

Items Deferred

REPORT:

Applicant: McLauchlan Surveying Pty Ltd
Owner: Mr ID Fraser and Mrs JD Fraser
Location: Lot 2 DP 872747, Terranora Road, Terranora
Zoning: Rural Living 1(c)
Cost: Nil

BACKGROUND

Lot 2 was originally created by subdivision in 1997 as stage one of development consent S92/18 (amended 8 October 1997). Stage 1 of the proposed 11-lot subdivision created 3 lots, therefore creating Lot 2 DP 872747.

Council originally received DA02/0447 in March 2002. It sought consent for a two-lot residential subdivision of Lot 2 DP 872747. The subject site had a total lot size of 8100m² and was capable of accommodating two separate residential dwellings, with the proposed lots sizes being 4000m² and 4100m². However a condition of consent was required to ensure sewer was connected prior to the release of the linen plan.

The original application was determined under delegated authority subject to thirty-eight conditions of consent, including conditions of consent for headworks charges, and a condition of consent ensuring adequate right of carriage ways were provided.

In March 2003 the applicant sought consent to undertake an amendment to Development Consent DA02/0447 to amend condition 12 relating to headwork charges and delete condition 7 relating to a right of carriage way. The S96 application was determined by granting the requested amendment to condition 12 relating to headworks charges, as it was determined that the applicants argument for a dispensation was appropriate, however, the applicants request to remove condition 7 was denied.

Condition 7 originally read as follows:

7. *The Engineering Plans and specifications to accompany the Construction Certificate application shall provide for:-*
 - i. *Extension of the existing right of carriageway width from 4.5 metres to a width of 5.5 metres for the full length of the right of carriageway (i.e. to the end of lot 2 DP872747). Structural Engineering Details are required to be submitted for the widening of the existing right of carriageway.*

[PCC0180]

During the assessment of the S96 Application it was determined necessary to amend condition 7 to better reflect the current driveway width of 3.6m not 4.5m therefore an amended condition 7 was imposed which reads as follows:

7. The Engineering Plans and specifications to accompany the Construction Certificate application shall provide for:-
 - i. Extension of the existing right of carriageway width from 3.6 metres to a width of 4.5 metres for the full length of the right of carriageway with passing bays as required by the Director Development Services (i.e. to the end of lot 2 DP872747). Structural Engineering Details are required to be submitted for the widening of the existing right of carriageway.

This S82A Review now requests that Council review its determination with respect to condition 7.

Items Deferred

SITE DIAGRAM



Items Deferred

ASSESSMENT HAVING REGARD TO SECTION 82A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The S96 Application was accompanied with the following justification for the proposed amendment to condition 7

“a) Widening of existing driveway within right of carriage way

The reciprocal access was formed per approved plans prepared by Martin Findlater and Associates for work within GS4/92/18. The design width was adhered to, and required parking bays constructed.

To make the current subdivision comply in respect to the number of users, the cadastral design and associated Sec. 88B Instrument with the plans for stage 2 of the GS4/92/18 approval, specifically removed any right of usage of the subject right of carriage way originally intended to benefit lot 4 in the now registered DP 1047760. This effectively retains the situation in regard to the access as previously approved.”

Whilst the proposed modification was considered to be substantially the same development as that approved for the purposes of S96, the deletion of condition 7 was not consistent with the provisions contained within DCP 16 – Subdivision Manual.

Council’s Development Engineer provided the following comments in terms of the appropriateness of the proposed deletion of condition 7:

“Following a review of my preceding advice dated 6th May 2003 for S96 application DA02/0447.01; it is recommended that condition 7 regarding widening of the existing driveway within the right of carriageway remain the same.

My previous advice on the right of carriageway is as follows;

No variations to condition 7. The number of lots is still 6 lots utilising the right of carriageway. This is not in accordance with DCP 16, which is based on a maximum of 5 lots. The requirement was relaxed at the original DA stage for the 2 lot subdivision, requested by the applicant.

The S96 application makes reference to Lot 4 not utilising the right of carriageway, in the registered 88B instrument. Lots 5, 6, 9, 10 and proposed lots 1 & 2 (2 lot subdivision of lot 2 DP872747) still equates to 6 lots. Therefore it is recommended that this condition remain the same.

Subdivision Manual DCP 16 – Section 14.3.5, specifies the following for Driveways & Access Urban & Rural Residential

| | |
|-----------------------------------|---|
| <i>3 – 5 benefited properties</i> | <i>150mm concrete pavement, 4.5 metres wide with controlled drainage and provision of passing bays.</i> |
|-----------------------------------|---|

Therefore within the provisions of DCP 16, it is recommended that no changes occur to Condition 7.”

Therefore, in accordance with the determination of the S96, it is not considered appropriate to delete condition 7.

Items Deferred

Subsequently the determination of the S96 Application should be upheld and the S82A Review should be refused, as the deletion of condition 7 would be contrary to Development Control Plan No. 16 – Subdivision Manual.

OPTIONS

1. Uphold the determination of the S96 Application and subsequently refuse the S82A Review;
2. Approve the S82A Review and subsequently amend DA02/0447.01 by deleting condition 7.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

Should the applicant be dissatisfied with the decision they have a right of appeal to the Land & Environment Court.

CONCLUSION

A review of the S96 Application has been undertaken by both Council' Development Engineer and Council's Development Assessment Officer. The applicant has failed to provide any additional justification for varying from the numerical criteria contained within DCP 16. To ensure that the integrity of the provisions contained within DCP 16 – Subdivision Manual are upheld, condition 7 should be retained on the consent.

Items Deferred

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Reports from Director Development Services

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

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

MATTERS FOR CONSIDERATION

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

Reports from Director Development Services

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Reports from Director Development Services

1. **ORIGIN:** Development Assessment Unit
FILE REF: DA02/1422 Pt14; LN 26174; LN 18698

REPORT TITLE:

Development Application DA02/1422.05 for an Amendment to Development Consent DA02/1422 for a 473 Lot Subdivision at Lots 194, 301, 312 DP 755701, Tweed Coast Road, Kingscliff

SUMMARY OF REPORT:

The amended application for the "Salt" subdivision seeks to modify the method of bulk earthworks associated with the development. The amendment proposes to gain the fill material for the northern residential stages of the subdivision from within the borrow pits located on the site rather than via the hydraulic pipeline from the Action Sands extraction site at Chinderah.

RECOMMENDATION:

That Development Application DA02/1422.05 for an amendment to Development Consent DA02/1422 for a 473 lot subdivision at Lot 194 DP 755701, Lot 301 DP 755701, Lot 312 DP 755701, Tweed Coast Road, Kingscliff be approved subject to amendment of the following conditions: -

1. Condition No. 20 be amended as follows: -
 20. Notwithstanding any other condition of this consent, a construction certificate for bulk earthworks may be issued and the carrying out of bulk earthworks may be commenced prior to the issue of a construction certificate for all subdivision works subject to compliance with the following.
 - (a) The bulk earthworks program shall be carried out in general accordance with the approved construction certificate, the Revised Earthworks Management Plan (Rev C, prepared by Cardno MBK and dated 10 April 2003) **as amended by the Addendum to the Earthworks Management Plan, Revision C, dated June 2003 and prepared Cardno MBK**, the Water Quality Monitoring Program (Rev B, prepared by Cardno MBK and dated March 2003) and the Hydraulic Placement Mitigation Report (Rev B, prepared by Cardno MBK and dated March 2003) except where varied by the following.
 - The hydraulic delivery of the pumped sand shall also include a "return water system" which will pump collected delivery water back to the Action Sands site using the sand delivery pipeline. No delivery water shall be discharged to Cudgen Creek.
 - The sand delivery basin shall be constructed with an impervious base and walls to ensure that no pumped salt water infiltrates into the ground water system. A groundwater monitoring system shall be installed prior to the commencement of pumping to ensure that the integrity of the basin is maintained at all times. The basin shall also have sufficient structural integrity to withstand construction traffic loadings associated with heavy machinery. The design of the base and

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wall shall be submitted with the Construction Certificate for approval. Hydraulic calculations shall be submitted for the volumetric design of the delivery basins to ensure that it has adequate capacity to prevent discharge to Cudgen Creek.

- The hydraulic delivery of sand (phase 3) shall not occur until a bund has been constructed along the entire frontage of lot 500 to prevent the discharge of stormwater into lot 500.
- The hydraulic delivery of sand (phase 3) shall not occur until the east west drainage corridors discharging to outlets No. 16 and No. 17 have been formed to cater for a Q₁₀₀ overland flow.
- Compliance with condition No. 127 of this consent relating to Drainage works for stage 1A.
- At any point in time the total area under construction which exposes unprotected surfaces shall not exceed a maximum area of 12ha.

2. Condition 52 be amended as follows: -

52. All works shall comply with the Revised Earthwork Environmental Management Plan (Cardno MBK, April 2003) **as amended by the Addendum to the Earthworks Management Plan, Revision C, dated June 2003 and prepared by Cardno MBK.**

3. The addition of the following condition and renumbering the remainder of the conditions.

48. Prior to the commencement of works the applicant shall submit to Council a Traffic Management Plan addressing the following issues;

- i. Road signage in accordance with the RTA – Traffic Control at Work Sites.
- ii. Identify when the Traffic Controllers will stop vehicles travelling on the deviation road before the haul trucks approach. As a minimum this should occur 10 seconds before the haul truck reaches the road pavement.
- iii. The plan should clearly identify that no haulage shall occur without accredited traffic controllers regulating traffic flow on the deviation road.
- iv. The plan shall require the stoppage of the haulage trucks if six vehicles are queued at any one time. Once the queue has returned to two (2) vehicles the haulage trucks may continue.
- v. The plan shall require the installation of two temporary signs advising motorists to expect delays between nominated dates and times. The sign shall be installed one (1) week prior to the commencement of works and shall be erected on Dianella Drive and on the northern approach to the bridge over Cudgen Creek. All writing on the signs shall be a minimum of 100mm in size.

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REPORT:

Applicant: Ray Group Pty Ltd

Owner: Tweed Shire Council, Conservation & Land Management and South Kingscliff Developments Pty Ltd

Location: Lots 194, 301, 312 DP 755701, Tweed Coast Road, Kingscliff.

Zoning: 2(f) Tourism, 7(f) Environmental Protection (Coastal Lands), 7(I) Environmental Protection (Habitat) and 7(a) Environmental Protection (Wetlands and Littoral Rainforests)

Cost: \$218.5M

BACKGROUND

Consent was issued for a 473 lot subdivision including earthworks and infrastructure on 24 April 2003. Works commenced on 18 June 2003.

The proponents are requesting modifications to two of the conditions of the consent (20a and 52). The conditions relate to the Earthworks Management Plan and the Earthwork Environmental Management Plan. The amended earthworks plan includes crossing the Tweed Coast Road with haul trucks for approximately 15 working days.

It should be noted that the following applications have been lodged with Council that relate to the "Salt" subdivision-

- DA 03/1258 for a Pipeline to pump sand from the Bolster sand extraction site to the Salt site
- DA 0041/2001.04 S.96 Amended application for the Bolsters sand extraction site to increase the rate of extraction to service the Salt site.
- DA 02/1422.09 S.96 Amended application for the Salt subdivision to modify consent conditions to reflect the proposed sand placement and management as a result of the proposed new source of sand.

The application for the pipeline involves pumping sand from the Bolster pit at Cudgen rather than from the Tweed River site operated by Action Sands.

The related applications are currently being assessed and at the time of writing were on exhibition and/or awaiting responses from various Government Authorities.

The amended proposal currently before Council involves using sand from the approved borrow pit sites to fill the northern stages of the subdivision rather than the approved hydraulic sand pumping method. Sand will still be required to be pumped to the site to fill the borrow pits to the approved finished levels.

The amended proposal also involves locating treated contaminated fill underneath the proposed road (Casuarina Way) and also using treated fill underneath stages 2 and 3. The fill underneath the road is under the northern section only. The original consent included placing the treated soil beneath stages 1a, 1a2 and part of stage 2.

The fill is proposed to be placed two metres beneath the road with a two metre cap of clean fill. It is proposed to have a one metre cap above the treated fill under stages two and three which complies

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with the original approval. The two metre depth and cap is proposed so the treated soil will be clear of any future civil works that maybe required on the road.

Under the existing approval remediated sands (maximum radiation level to be 0.35uGy/hr) are permitted to be placed under residential and public open space land. Note that the maximum permissible radiation level on roads is 2.5uGy/hr, and therefore the material will be well within that limit and covered with 2m of clean material.

The amended fill areas are required as some of the contaminated soil has a higher level of contamination than originally found. Accordingly, more clean soil needs to be blended with the contaminated soil to reduce the radiation levels to acceptable levels producing a larger volume of blended/ treated soil.

The amended treated soil locations will comply with the approved Detailed Site Radiation Investigation Report and Remediation Action Plan.

It should be noted that post remediation mapping and information with respect to verification of radiation levels and identifying where material is placed is required to be provided to Council under Condition 51. Therefore in future Council will have appropriate records about where radioactive materials exist on the site.

The proposal will shorten the length of time required to complete the filling of the northern stages given that the approved pipeline would take six months to complete.

The applicant has provided the following explanation and rationalisation for the amended proposal-

"In summary, the earthworks Management Plan approved by Condition 20(a) and Condition 52 proposed a borrow pit in the south eastern (Stage 7) part of the site to obtain fill material to create the Outrigger Hotel platform. It was intended that imported fill material would then be placed (hydraulically) on Stages 1, 2, 3, 4, 5, 6 and ultimately Stage 7 (including the temporary borrow pit) to achieve the design fill levels.

The temporary borrow pit on Stage 7 was to be 3 m deep and approximately 4.5 ha in area based on the quantity required to establish the Outrigger Hotel platform, such that that project could commence promptly.

Following further review of the projects critical path analysis and in view of the lead time required to establish the sand pumping pipeline (up to 6 months) it is now proposed to expand the "temporary borrow pits" within Stage 7 and Stage 2 to yield a volume of approximately 450,000 m³ from an area of approximately 11.5 ha to a depth of approximately 6.5 m. This approach will enable Stages 1 and 2 (and the Outrigger site) to be filled promptly such that civil works can proceed concurrently and without delay. It also has the advantage of avoiding the need to temporarily "revegetate" the filled areas as completion to finished surface levels can be carried out as filling is placed, thus reducing the cost and implication of revegetation work. More importantly, the revised strategy will: -

- *Remove the sand pumping process off the critical path of the first half/phase of the project;*

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- *Ensure that the first phase of the project is not delayed because of failures in the pumping system (i.e. down time, blockages etc) and this benefits the community by completing the major subdivisional works 3 to 4 months earlier;*
- *Allows a far better control of the tail water as the slurry will be contained in 2 pits/locations (eg. the sand delivery will only be over say 20% of the site and not say 50% of the site as currently approved) and hence a more controlled system will arise for the protection of the aquifer;*
- *Substantially reduces the amount of double handling of the wet sand as it will now simply be placed directly into the borrow pits, after separation beside the pits. This again assists with control over the protection of the aquifer.*

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

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

Tweed Local Environmental Plan 2000

The proposal is permissible with consent. The amendment does not alter the statutory assessment or requirements that were considered by Council during the assessment of the subdivision approval. The issues raised by the Tweed LEP, the North Coast REP and relevant SEPP's are not altered by the amended application.

North Coast Regional Environmental Plan 1988

See comments above

State Environmental Planning Policies

See comments above

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

N/A

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

DCP 11 Kings Beach applies to the site. The proposed amendments do not affect the DCP.

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

The NSW coastal policy 1997 was considered as part of the assessment for the original application. The amendments do not affect that assessment.

(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

The impacts of the altered earthworks procedure are substantially the same as the approved procedure.

Acid sulphate soil, groundwater, dust, and revegetation will all continue to be managed and monitored. The development consent contains conditions covering these issues.

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Traffic

The hauling of fill from the borrow pit in the south east corner of the site (borrow pit B1) will involve trucks crossing the Tweed Coast Road. It is anticipated that the hauling will take fifteen working days to complete. Disruption to traffic will occur however the hauling will be undertaken for a relatively short period of time. A truck will cross the road every 51 seconds which will require two cars to queue each time a truck crosses the road.

A condition is to be imposed requiring a traffic management plan to be submitted covering signage, traffic controllers and traffic management.

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

The proposed amendments do not alter the site's suitability for the development.

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

The application was referred to the Department of Infrastructure Planning and Natural (DIPNR) Resources, NSW Fisheries, and the Environment Protection Authority. No objections are raised by any of the Government Agencies.

It should be noted that DIPNR initially raised significant issues regarding the amendments however a meeting was held between the proponents, their consultants, Council's Officer, Councillor James and DIPNR Officers and the matters were resolved.

The issues primarily related to the consistency of the amended plans with the approved plans.

The application was notified in accordance with Council's Policy on two occasions. The altered haulage/traffic arrangements were not originally proposed accordingly these amendments were subsequently notified.

Four submissions were received. Two of the submissions are from the same individual. The second of these submissions is a response to the applicants response to the first submission.

The submission from the Kingscliff and Tweed Coast Business Association supports the proposal.

The issues raised in the submissions mainly related to consistency of the amended plans with the approved plans in the vicinity of Cudgen Creek. The abovementioned meeting resolved these issues.

Other issues raised in the submission relate to the impact of the borrow pits on Cudgen Creek, management of tailwater, and acid sulfate soil. All of these issues have been dealt with comprehensively in the assessment of the original application and the development consent conditions. Management of these issues is not altered by the proposed amendment other than some improvement to the control of tailwater.

(e) **Public interest**

It is considered that an improved construction method and shortened construction time is beneficial and is in the public interest.

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OPTIONS

1. Approve the amended application with appropriate conditions.
2. Refuse the amended proposal.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

None

CONCLUSION

It is considered that the amended proposal is an efficient method to carry out the required earthworks resulting in shortened construction times and improved environmental management.

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2. ORIGIN: Development Assessment Unit

FILE REF: DA03/0723 Pt1; LN 39614

REPORT TITLE:

Development Application DA03/0723 for an Emergency Accommodation for Single Men at Lot 100 DP 865105, Pacific Highway, Murwillumbah

SUMMARY OF REPORT:

A Development Application has been received for the conversion of the railway barracks at Railway Street, Murwillumbah into accommodation for single men. The accommodation contains four bedrooms plus quarters for a manger. The land is zoned 5(a) Special Uses (Railways) and is permissible with consent in the zone. The building has been used for emergency accommodation for men in the past, although the barracks apparently were not properly managed and residents not advised of their responsibilities in terms of good neighbourhood relations.

This proposal was placed on exhibition for a period of two weeks and adjoining neighbours were notified. Four submissions and a petition with 23 signatures was received objecting to the proposal raising various reasons why the proposal should not proceed including the impact the residents of the shelter may have on the amenity of the neighbourhood. Such concerns are well founded having regard to how the barracks were previously managed by other community groups.

In support of the proposal the applicant has responded that the Barracks will be managed in a much more proactive manner, residents properly screened, and quarters provided for an onsite manager. Having regard to this it is recommended that Council support the proposal and issue development consent for an initial one year period. At the end of this period the applicant will be required to apply to Council again to continue using the barracks for this purpose. If the Barracks have not been properly managed, and there have been complaints received, then Council will have the opportunity to refuse that application and the use of the barracks for temporary accommodation of single men will have to cease.

RECOMMENDATION:

That Development Application DA03/0723 for an emergency accommodation for single men at Lot 100 DP 865105 Pacific Highway, Murwillumbah be approved subject to the following conditions: -

GENERAL

1. The development shall be completed in accordance with the Statement of Environmental Effects and Plans Nos 1 to 8 dated May 2003, except where varied by these conditions.
2. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.
3. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.
4. The erection of a building in accordance with a development consent must not be commenced until:

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- a. detailed plans and specifications of the building have been endorsed with a construction certificate by:
 - (i) the consent authority; or
 - (ii) an accredited certifier; and
 - b. the person having the benefit of the development consent:
 - (i) has appointed a Principal Certifying Authority; and
 - (ii) has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and
 - c. the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.
5. Use of the barracks for the emergency accommodation for men is limited to Twelve (12) months from the date of the issue of the Occupation Certificate.

PRIOR TO COMMENCEMENT OF WORK

6. Please note that while the proposal, subject to the conditions of approval, may comply with the provisions of the Building Code of Australia for persons with disabilities your attention is drawn to the Disability Discrimination Act which may contain requirements in excess of those under the Building Code of Australia. It is therefore required that these provisions be investigated prior to start of works to determine the necessity for them to be incorporated within the design.
7. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.

DURING CONSTRUCTION

8. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
9. All demolition works are to observe the guidelines set down under the Environment Protection Authority publication "A Renovators Guide to the Dangers of Lead" and the WorkCover guidelines on working with and handling of asbestos.
10.
 - (a) All deteriorated and defective materials are to be replaced by sound materials.
 - (b) The building is to be painted internally and externally.
 - (c) The building is to be set up and completed in a tradesman like manner and to Council's satisfaction.
 - (d) The building is not to be occupied until all work is completed and Council's approval to occupy has been granted.
11. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
- a. footings, prior to pouring of concrete
 - b. frame

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- c. final inspection prior to occupation of the building
12. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
 - a. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
13. A.
A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
B.
The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.
14. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-
 - * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
 - * 50⁰C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.
15. In the event that Council is not utilised as the inspection/Certifying authority, within seven (7) days of building works commencing on the site a Compliance Certificate in the prescribed form is to be submitted to Council together with the prescribed fee, by the nominated principal certifying authority to certify the following:
 - i. A sign has been erected on the site identifying:
 - Lot number
 - Builder
 - Phone number of builder or person responsible for site.
 - ii. All conditions of consent required to be complied with prior to work commencing on the site have been satisfied.
16. Mains powered smoke alarms are to be installed in accordance with the Building Code of Australia.
17. The provision of two off street car parking spaces. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.
18. 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.
19. Handling and disposal of asbestos products shall be in accordance with NSW Workcover requirements.
20. The builder is to liaise with NSW EPA prior to handling any potential lead based products to ensure that adequate management of potential risks..

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

21. In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the

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approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.

22. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard AS 2444 "Portable Fire Extinguishers - Selection and Location" and Part E1.6 of the Building Code of Australia.
23. Prior to Occupation a sign to be erected on the outside of the barracks and clearly visible to the public from Station Street stating who is operating the barracks with a 24 hour phone number to enable reporting of antisocial behavior of residents.
24. Prior to the issue of the Occupation Certificate, all adjoining residents are to be provided with the contact details of the operators of the barracks including 24 hour phone numbers.
25. Prior to the issue of the Occupation Certificate an Emergency Management Plan for Flood and Fire is to be prepared and approved by the State Emergency Service. The plans shall be appropriately displayed in each bedroom and a designated common area.

USE

26. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, fumes or the like.
27. The barracks are not to be used for accommodating tenants with a criminal record, and appropriate screening is to be carried out by the operators to ensure this occurs.
28. A manager or supervisor is to reside at the barracks a minimum of four (4) night in any week. Such nights to include pension and other forms of social security payment days and weekends.
29. The operation of the premises shall comply with the relevant provisions of the Food Act 1989. In this regard the following shall be carried out to the satisfaction of the Director Environment and Community Services:
 - i. An easily accessible hand wash basin shall be provided within the food preparation area;
 - ii. The food preparation area to be kept in a clean and orderly manner at all times; and
 - iii. A dishwasher or similar shall be provided to ensure adequate sanitising of eating, drinking and cooking utensils.
30. The operators of the barracks shall notify NSW Health prior to the occupation of the building under the provisions of the NSW Food Act 1989.

Reports from Director Development Services

REPORT:

Applicant: Ms T Wilkinson

Owner: State Rail Authority of NSW

Location: Lot 100 DP 865105, Pacific Highway, Murwillumbah

Zoning: 5(a) Special Uses (Railways)

Cost: \$47,000.00

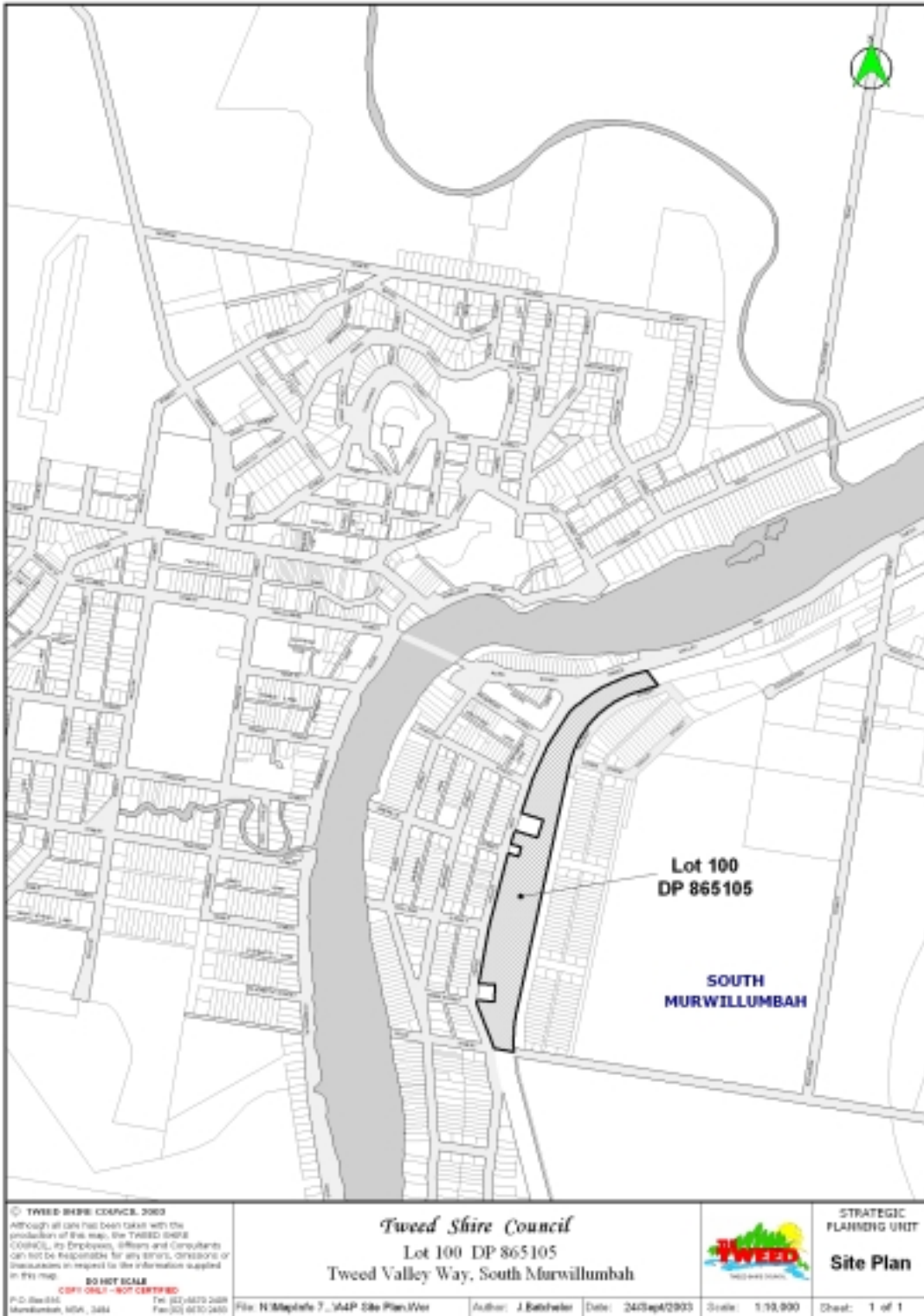
BACKGROUND

A Development Application has been received for the conversion of the railway barracks at Railway Street, Murwillumbah into accommodation for single men. The accommodation contains four bedrooms plus quarters for a manger. The land is zoned 5(a) Special Uses (Railways) and is owned by the State Rail Authority. The building has been used for emergency accommodation for men in the past, although the barracks apparently were not properly managed and residents not advised of their responsibilities in terms of good neighbourhood relations. The applicants are not the same operator as previously and have proposed to manage the barracks in a much more proactive manner, screen residents and set out the ground rules for its tenants to ensure that the amenity of the neighbourhood is not compromised.

The proposed accommodation project will be run by the Tweed River Valley Fellowship Organisation, which in turn is funded by the Department of Community Services.

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SITE DIAGRAM



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

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

Tweed Local Environmental Plan 2000

Clause 8 Zones

The proposal is located on land zoned 5(a) Special Uses (Railways). Under Tweed LEP 2000 the proposal is defined as a boarding house being “...a house let in lodgings or a hostel...” under item 2 of the zoning table uses allowed with consent include any use which is compatible with adjacent uses and with uses allowed (with or without consent in the adjacent zones.

Adjacent land to the proposal is zoned 2(a) Low Density Residential. Boarding Houses are permissible with Consent in this residential zone provided the provisions of clause 8(2) of the LEP are satisfied. Although such a requirement is not required under the 5(a) Zone, the applicant has provided the following information addressing clause 8(2)

1. The nature of the development is such that opportunities to establish like facilities are not common and largely dependent upon donations and the granting of property by government departments and individuals alike. In the absence of such generosity, facilities such as that proposed would simply not exist. Accordingly, the selection and use of the subject building is dictated by the mere fact that it is available for use and that there are no other suitable localities or structures available within the Tweed Shire.
2. The need for the proposed development is well documented, both in terms of Council's social policy, but also within the wider media. The proposal undoubtedly meets an urgent community need.
3. The proposal does not constitute a major employment generator.
4. No other sites exist within which the development can be funded, facilitated and utilised within close proximity to the subject site.
5. The subject building is considered to be generally consistent with both the scale and character of surrounding residential development. In terms of use, the proposal is of a scale consistent with the surrounding from a traditional residential use developments, with the 'barracks' containing accommodation for four (4) residents only. Whilst the nature of the proposed use is somewhat different from a conventional residential use, the occupants of the 'barracks' will reside there for accommodation purposes only, irrespective of their background or length of stay. In this regard, the proposed use could be considered to be generally consistent with the scale and nature of adjacent or surrounding developments.
6. The proposed use is entirely consistent with the secondary objective of the 5(a) Special Uses Zone.

It is considered the proposal containing a total of 5 bedrooms is consistent with the primary objective of the 2(a) zone, and provided the facility is properly managed, the

Reports from Director Development Services

proposed use of the barracks is compatible with adjacent land uses. In terms of management it is recommended as a condition of consent that a supervisor or manager reside in the barracks a minimum of 4 nights in any week including weekends and days that welfare payments are made.

Clause 17 Social Impact Assessment

Having regard to the scale of the development it is considered a social impact statement is not required. In terms of social impact the proposal is aimed at providing temporary accommodation for single men aged 24 years and upwards who are unable to find accommodation through the normal market measures. Such circumstances include men who are homeless due to financial circumstances, have a poor rental history or require emergency accommodation as a result of domestic violence. Prospective tenants with drug problems or requiring constant supervision will not be housed in this development. It is considered the proposal will provide a valuable service for a disadvantaged section of the community.

Clause 35 Flooding

The barracks have a floor level of 5.45 m AHD and 5.48 m AHD. This is below Council's minimum floor level for the area of 6.7 m AHD. In support of the proposal the applicant has submitted that residents will not be permanent and that accommodation in the facility is considered temporary. Therefore the ability for residents to evacuate during a flood having regard to the location of the site to the Pacific Highway, and the need to move personal effects can be easily attained.

In relation to the provisions of the clause the proposal will not increase the risk of flooding of adjoining land. To fully mitigate the flood potential the building would need to be raised by 1.3 metres. This is not proposed by the applicant and is potentially outside of their financial means.

The proposal was forwarded to Engineering Services whereby comment was provided from the manager of the Water Unit. No objection was raised to the development subject to a Flood Contingency/ Evacuation Plan being prepared and approved by the SES. An appropriate condition of consent has been recommended.

As the structure already exists, and having regard to the temporary nature of the future tenants, to raise the building by an additional 1.2 - 1.3 metres is not required in this instance.

North Coast Regional Environmental Plan 1988

The proposal is not inconsistent with the provisions in the REP pertaining to residential development.

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

No draft Environmental planning Instruments affect this proposal.

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

DCP No. 2 Site Access and parking code.

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No car parking has been proposed on the plans submitted, however adequate area is available on site for the parking of vehicles and push bikes. Under DCP 2 a total of two spaces should be provided. An appropriate condition of consent is recommended requiring the provision of two vehicle spaces to be set aside for the development.

DCP 5 Development of Flood liable Land

As discussed above the floor level of the existing railway barracks is approximately 1.3 metres below council's adopted minimum floor level for this area. Having regard to the historical uses of the barracks, the temporary residential nature of the proposed use, and the ability for tenants to be evacuated to higher ground, it is considered that it is unnecessary for the building to be raised to the required floor level in this instance.

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

Clause 94 of the EPA Regulations

The proposal requires minor additions to the existing building and has been assessed in terms of Fire Safety Council's Building Services Unit have no objection to the proposal subject to the installation of smoke alarms and emergency evacuation lighting being installed as per the Building Code of Australia.

(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

The proposal is on land within an existing urban location and will not have an adverse impact upon the natural environment. In terms of the built environment the proposal does have the potential to adversely affect the amenity of the neighbourhood and the area. Other community minded organisations have utilised the barracks over the past two decades for short - term emergency accommodation for men. However from the objections received to this development it is believed that the barracks were not managed effectively in terms of screening tenants, advising tenants of their rights and responsibilities in terms of respecting neighbourhood amenity, nor was there provision for an on-site manager.

This proposal attempts to correct these errors of the past by various management measures. These include

- Providing amenities for an on-site manager to live in the barracks;
- Screening tenants so that those with a drug dependency problems etc are housed elsewhere; and
- Removing those from the barracks that fail to conform with an established code of conduct;

Should the barracks be operated in this fashion, it is not believed the proposal will adversely impact upon the amenity of the neighbourhood. However as such projects are often funded by State and Federal governments and dependent on this funding it is important that once up and running the barracks are continued to be managed in this way. It is therefore recommended should Council approve this application that the consent be limited for an initial 12 month period. At the end of this period the applicant

Reports from Director Development Services

will need to re-apply to continue using the barracks. If the barracks have not been managed appropriately over this 12 month period, and complaints have been received, then council will have the opportunity to not re-issue the development consent.

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

Surrounding Land Uses. The site is located within a residential area and accessible to the Murwillumbah CBD by walking. The proposal being the use of two buildings containing 5 bedrooms is similar in size and scale to many dwelling houses. Provided the barracks are managed appropriately as discussed above a land use conflict is unlikely to arise with surrounding neighbours and it is envisaged that the proposal will operate not to dissimilar to the normal activities that occur in many residential neighbourhoods.

Hazards. As discussed above the land is flood prone and the floor level of the barracks is approximately 1.3 metres below Council's Minimum floor level. Having regard to the proposed use and the ability to evacuate the building, the flooding hazard is considered acceptable.

The site is considered suitable for the development

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

Three submissions and a petition were received objecting to the proposal on the following grounds:

- Railway St is unsuitable due to its isolated nature.

The site is in close proximity to town and services and is not considered to be isolated.

- Emergency accommodation for men will change the nature of the neighbourhood.

It is envisaged that the barracks will operate like any other household, and the use of this building is unlikely to alter the nature of the neighbourhood.

- No environmental impact study.

An EIS is not required under the regulations for this development proposal. However it is acknowledged that the information submitted initially with the application was inadequate. Further information has since been submitted addressing operational issues into how the barracks are to be run and operated

- The building is located too close to the Riverview Hotel

Such a comment suggest that the future residents of the barracks have an alcohol problem. The applicant has advised that potential tenants will be screened prior to being placed and those with drug and alcohol problems are not to be accommodated at the barracks.

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- Concerns about the legitimacy of the proposal

Uncertain as to what this comment means, and Council can only make a determination based on the information provided. As discussed above, should the application be approved, it is recommended that an initial consent be issued for 1 year. This will provide Council with a further opportunity to shut down the project should the barracks be poorly run and operated, and or tenants disrupt the amenity of the neighbourhood.

- Property values

This is not a valid ground for refusing the application and no information has been provided to quantify this claim

- Security and safety and past use of the building – Neighbours harassed by men asking for food and money.

As discussed above tenants are to sign a code of conduct and anti-social behaviour will not be tolerated by the managers of the barracks. It is acknowledged that previous use of the barracks for emergency accommodation was poorly supervised and managed. The difference with this project is that quarters are provided for an on-site manager to reside in the barracks when required, potential tenants will be screened, and tenants will be made to sign a code of conduct to ensure that they are aware of there responsibilities to their neighbours. Failure to comply with the code will result in tenants being evicted from the barracks.

- Type of men being housed

The applicant has advised that the barracks will be used to house men aged 24 years and older and typically those who are unable to find alternate accommodation within the rental housing market for financial reasons such as poor rental history or men who require accommodation on a short term basis due to domestic violence. The applicant has also advised that assistance will be provided to help tenants find employment or further their education. Potential tenants are to be screened so that those with a drug and alcohol problems will not be housed at the barracks. Further tenants are to comply with a code of conduct and anti-social behaviour will not be tolerated.

It is probably reasonable though, that the screening of tenants should also exclude those with a criminal background and an appropriate condition of consent is recommended in this regard.

- Concerned that there will not be qualified supervision on a 24 hour basis.

The proposal contains manager's quarters to enable staff to reside in the

Reports from Director Development Services

barracks when required. The applicant has also proposed that staff will also visit the barracks on a daily basis. Residents in the neighbourhood will be provided with a 24 hour phone number to report any unruly or anti-social behaviour to the operators of the barracks, should the manager not be onsite. Considering the history of the barracks and the alleged inability of previous operators to properly supervise tenants, it is recommended that the onsite manager reside at the Barracks a minimum of 4 nights in every 7 including weekends and days when welfare payments or unemployment benefits are paid.

(e) Public interest

Provided the proposal is run and operated as submitted by the applicant it is not envisaged the development will prejudice or compromise the public interest or create an undesirable precedent. Although there have been objections to the proposal, should the applicants had acquired the use of an existing dwelling house, development consent would not have been required as per State Environmental Planning Policy No. 9 Group Homes.

OPTIONS

1. Approve the application with a limit of 12 months.
2. Refuse the application.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS

Should the applicant be dissatisfied with Council's determination, the applicant has recourse to have the matter heard in the Land and Environment Court, which has resource implications for Council.

CONCLUSION

The proposal is considered to be consistent with the applicable planning requirements, and should the barracks be operated as proposed in terms of supervision, screening of tenants and the code of conduct, the proposal should not have an adverse impact on the amenity of the neighbourhood. Furthermore it provides a suitable use of the old railway barracks, which are falling into a state of dilapidation.

To put the applicants on notice though, it is considered consent should only be issued for an initial 12 month period commencing from the date of the issue of the occupation certificate. At the end of this period, the applicant will be required to either submit a fresh development application to seek a new, operational consent. This will provide Council with the opportunity to re-assess the proposal, and if it has been poorly managed and complaints have been received about the tenants, the application can be refused and the use of the barracks for this purpose will cease.

Reports from Director Development Services

3. ORIGIN: Development Assessment Unit

FILE REF: DA1180/425 Pt1; LN 41178

REPORT TITLE:

Development Application 0689/2000DA for a Storage & Launching Facility for Tweed Coast Sea Rescue Squad at Peninsula Street, Hastings Point

SUMMARY OF REPORT:

Tweed Coast Sea Rescue Incorporated has proposed to construct a boat shed on land within the Peninsula Street Road Reserve and 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 development application was reported to Council on 3 July 2002 for determination, and was deferred to obtain further information from NSW Fisheries who had refused to issue general terms of approval under the Fisheries Management Act 1994. The proposed development requires permits for the removal of marine vegetation and reclamation. The proposal was reported again to Council on 20 November 2002 for determination with a recommendation for refusal as NSW Fisheries still refused to issue General Terms of Approval under the Fisheries Management Act 1994. Of concern to NSW Fisheries and in support of their refusal to issue their general terms of approval is the effect the development would have on the tidal flow and hydrology of Cudgera Creek, and the suitability of the site in general.

Council again deferred making a decision on the proposal and resolved that the *Mayor and Director Development Services (and/or his nominee) meet with representatives of Tweed Coast Sea Rescue and NSW Fisheries to discuss the position with this Development Application.*

Three further meetings have been held on-site including discussions on a more favourable site on the opposite bank near the existing boat ramp. However this land is under the control of the Department of Lands, which does not support the siting of the boat shed on this property. This is most unfortunate as this site has good access, plenty of space for car parking, would be an easier site for construction in terms of design and costs, and negates the need for permits under the Fisheries Management Act as no marine vegetation would be removed and there is no need for reclamation.

The applicant has since resurveyed the site and location of the boat shed and redesigned the access. The proposal was originally submitted as being on Crown Land but is in effect within the road reserve, which borders the creek and is owned by Council. The actual shed itself is sited further into the edge of the creek bank. However it is likely surrounding mangroves and pneumatophores are likely to be damaged or harmed during construction and the launching area contains juvenile mangroves and pneumatophores, which would be damaged by launching of the boat. This part of the proposal still requires a permit under Section 205 of the Fisheries Management Act 1994. Further substantial earthworks are required on the edge of the creek bank and these works require a permit under Section 201 of the Fisheries Management Act 1994.

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The amended detail has been provided to NSW Fisheries who have again re-iterated their non-support for the proposal and refused to issue general terms of approval under the Fisheries Management Act 1994.

The Rescue Squad at present stores the boat in a shed near the Pottsville Bowls Club. This presents operational problems in getting the boat into the water during emergencies within the necessary response times. 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 its physical and natural attributes which prevent it from being a suitable location. 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 the rescue squad entering and leaving the site would present a hazard to the public and a liability risk to the rescue organisation itself.

In conclusion, without the general terms of approval from NSW Fisheries under the Fisheries Management Act 1994, Council has no option but to refuse the application in accordance with Section 91A(4) of the Environmental Planning and Assessment Act 1979. Should Council ignore NSW Fisheries advice and development consent is granted, Council leaves itself open to a third party appeal under Section 123 of the Environmental Planning and Assessment Act 1979. Noting that there was also an objection from a third party in addition to NSW Fisheries, this could be a possibility. Acknowledging the public safety value and the proposal and the length of time taken to seek to negotiate an outcome, the application is still concluded to be unacceptable for the reasons listed below. Alternative sites have been discussed with Squad representatives but the Squad has persisted with the site asserting that it is the most suitable.

RECOMMENDATION:

That Development Application 0689/2000DA for storage and 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 1979, 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 Clause 13 of 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)(c) of the Environmental Planning and Assessment Act 1979, the site is unsuitable for the proposed development and the proposal would have adverse effects on public recreation and open space use; ecology of the site and adjacent land; and the amenity of residential properties in proximity.
5. Pursuant to Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, the proposal is not in the public interest.

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REPORT:

Applicant: Mr Roger McLeod – Tweed Coast Sea Rescue Inc
Owner: Tweed Shire Council
Location: Peninsular Street Road Reserve, Hastings Point
Zoning: Uncoloured Land
Cost: \$30,000

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 proposal will 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 advised that the development does not need to obtain a permit under Part 3A of the Rivers and Foreshores Act 1948.

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.

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SITE DIAGRAM



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TWEED SHIRE COUNCIL
Lot 7018 DP 755701
Coast Road, Hastings Point



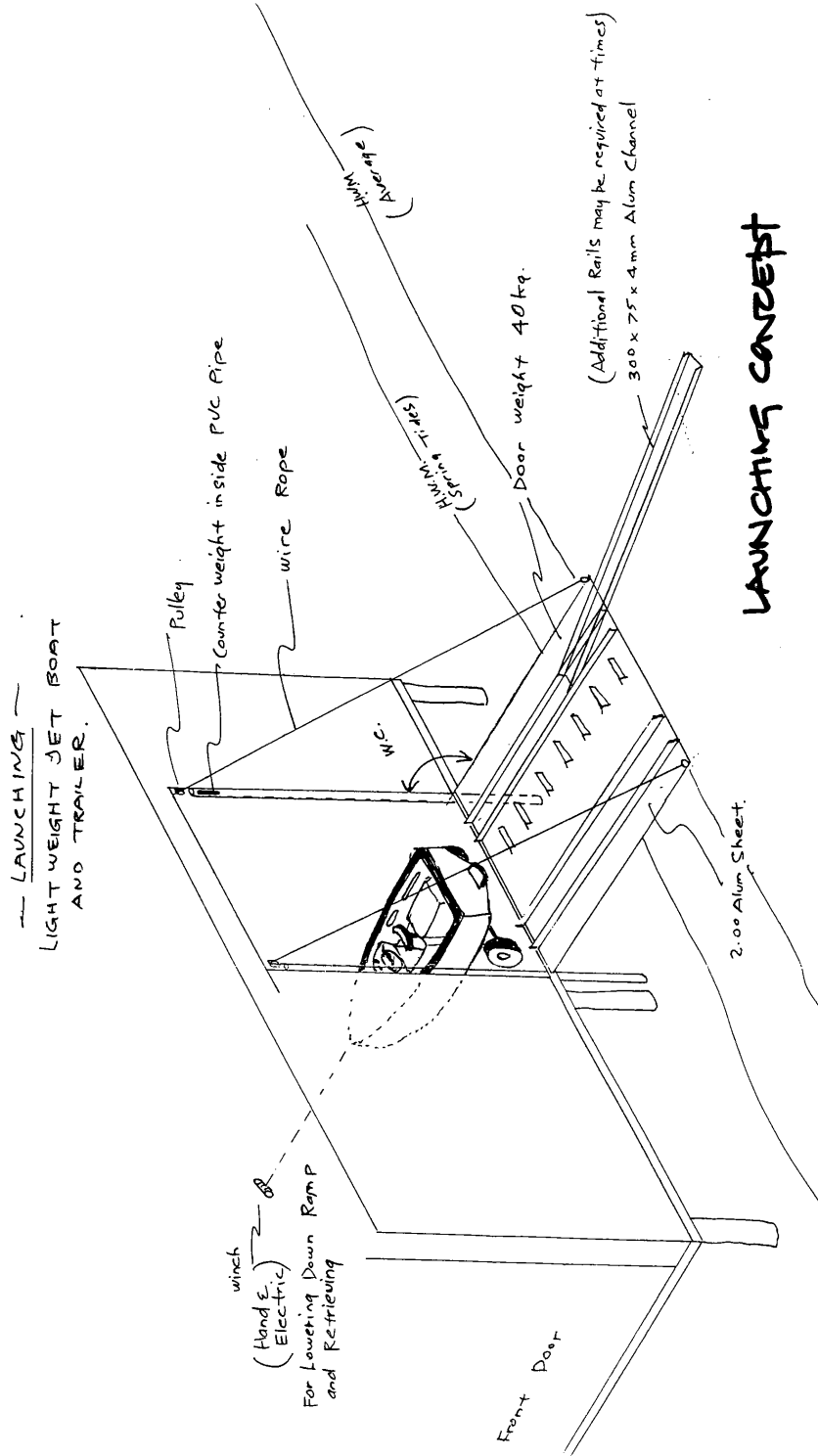
Site Plan
Sheet 1 of 1

File: N:\MapInfo 6...Site Plan.Wor Author: J.Balsteiner Date: 24/Jun/02

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CONCEPT PLAN

TWEED COAST SEA RESCUE SQUAD.
STORAGE & LAUNCHING FACILITY.
DA 1100/425 P41 0609/2000 DA.



LAUNCHING CONCEPT

P112 AUGUST 2000.

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ELEVATION PLANS

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| <p>FILE NAME: P112-WD02 PLAN XREF NAME: PATH NOTES:</p> | <p>ELEVATIONS 1. THESE DWGS ARE TO BE READ IN CONJUNCTION WITH GLEN PETERSEN ARCHITECT DWG NO'S, P112-WD00, P112-WD01, P112-WD0002, P112-WD03</p> |
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NORTH EAST ELEVATION

NORTH WEST ELEVATION

SOUTH EAST ELEVATION

SOUTH WEST ELEVATION

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| DATE: 02.06.99 | DEVELOPMENT APPLICATION DESCRIPTION: | ISSUE NO.: A |
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GLEN PETERSEN ARCHITECT PTY LTD

17/105 2ND ST
 TWEED HEADS SOUTH NSW 2486 MOBILE AND FAX 08 15 720 88

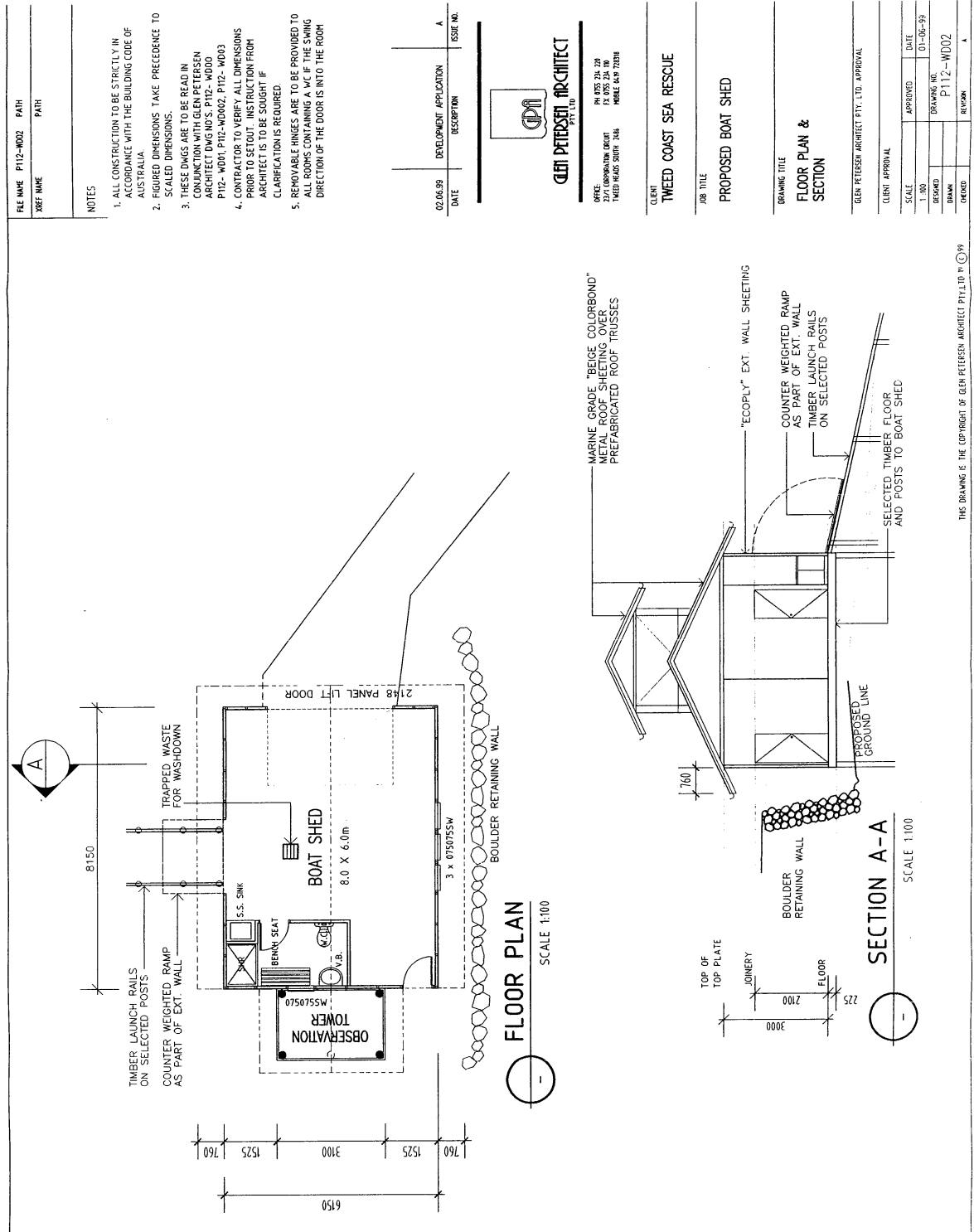
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| DRAWING TITLE: ELEVATIONS | CLIENT APPROVAL: GLEN PETERSEN ARCHITECT PTY LTD. APPROVAL |
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| SCALE: 1:500 | APPROVED: | DATE: 01-06-99 |
| DRAWN: | DRAWING NO.: P112-WD03 | REVISION: A |

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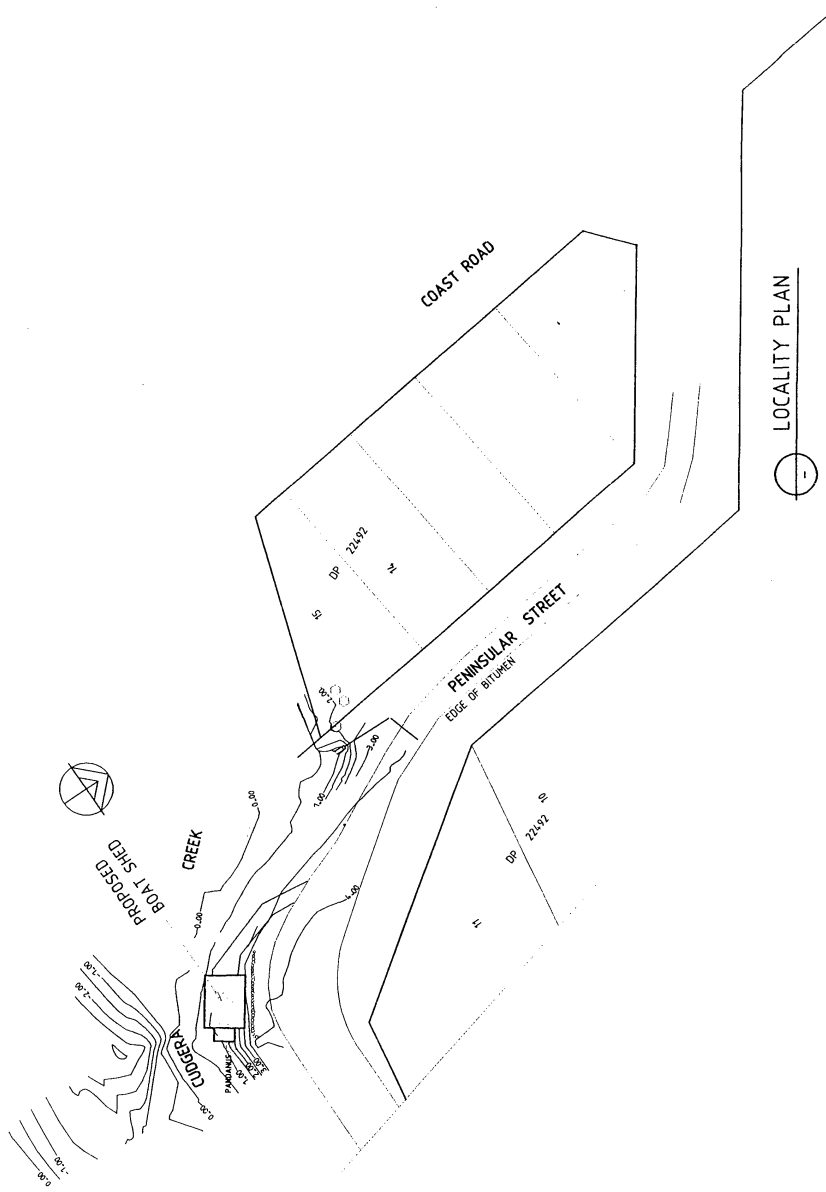
CLIENT
TWEED COAST SEA RESCUE

JOB TITLE
PROPOSED BOAT SHED

DRAWING TITLE
LOCALITY PLAN

GLEN PETERSEN ARCHITECT PTY. LTD. APPROVAL

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

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

Tweed LEP 2000 – Definitions

The proposal can be defined under Tweed LEP 2000 as an emergency services facility.

Clause 13 Development of uncoloured land on the Zone Map

The proposal is to be sited within the road reserve, which is unzoned and uncoloured land under Tweed LEP 2000. The objectives of this clause are:

- *To enable the control of development on unzoned land.*
- *To ensure that development of unzoned land is compatible with surrounding development and zone.*
- *To ensure that development of certain waters takes account of environmental impacts and other users of the water.*

In deciding whether to issue consent Council must consider whether the proposal is compatible with surrounding development and uses, and development permissible in adjoining zones. Land adjoining this development is zoned 6(a) Open Space, and an emergency service facility which is permissible with consent in that zone under item 2.

In terms of the surrounding uses in that occur in Cudgera Creek it is considered that the site of the development is not compatible with the recreational use of the locality and the development may lead to a conflict with the intended recreational use of the land and the surrounding area. Presently this area is in high demand on weekends, school holidays and during the summer by other recreational users. 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.

Although the applicant has advised that the creek will only be used for access and egress from the boat shed to the ocean for rescues and training and there boat has a shallow draft to negotiate submerged objects and shallow sand banks. However this would mean the boat would have to travel at speed to negotiate these obstacles. This would certainly not be an ideal situation on a busy weekend or during school holidays and presents a liability risk to Tweed Coast Sea Rescue and a safety risk to the public in general.

The proposal is considered to be inconsistent with the second and third objective of the clause.

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.

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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 such as fishing. The boat shed and driveway access will in effect partially restrict the limited public access around this foreshore area, however it is noted ready access is available to the creek on the eastern side of the side of the development and on the opposing bank of the estuary, which has a large sandy beach.

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 in terms of the provisions of this clause.

The operation of the boat shed is likely to damage mangroves adjacent to the shed from launching and pedestrian traffic. Their removal and relocation to another site within the waterway is normally required. A large pandanus palm exists near 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 not issued their general terms of approval.

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 proposed boat shed and driveway access is sited on the bank of the creek between Peninsular Street and the water edge. The driveway has a length of some 41 metres and requires substantial earthworks and retaining walls to cut this driveway into the side of the creek bank. From the Engineering drawings submitted these works will encroach into the tidal area of the waterway thus restricting the public’s ability to walk along the banks of Cudgera Creek. It is considered the applicant has failed to demonstrate exactly how public access can be maintained in this area.

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

Reports from Director Development Services

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 approval Under Section 200 and 205 of the Fisheries Management Act 1994 for the removal of a stand of mangroves and reclamation. NSW Fisheries have not issued general terms of approval for the works required as part of this proposal for the following reasons:

- Likely alteration to the tidal Prism through the build up of ocean sands around the proposed building and revetment walls;
- The site is a sensitive habitat, likely to be unstable over time (eroding and accreting), as recognised in the Draft Tweed Coast Reserve Plan of Management.
- There is considerable potential for lack of ocean going access for the Tweed Coast Sea rescue from the site placing a demand for the mouth of the creek to be dredged. Manipulating the entrances of intermittently opening and closing Coastal Lakes and Lagoons impact on the ecology of the waterway and surrounding vegetation such as mangroves, salt marsh and seagrasses.
- High Speed movement of the jet boat in and out of the creek is likely to disrupt recreational fishers and other users of the estuary;
- Previous consultation by NSW Fisheries with emergency services reported that Hastings Point was adequately covered for marine emergencies.

Further correspondence between Council and NSW Fisheries has occurred since the Council meeting of November 20, 2002. Their latest correspondence dated 24 September again reiterates the Departments objection to the proposal and refusal to issue general terms of approval. A copy of the Departments correspondence is attached to the report.

NSW Fisheries believe the development will harm marine vegetation during construction and possibly during operation of the facility, and as such the proposal still requires a permit under Section 205 of the Fisheries Management Act 1994. NSW Fisheries are also of the opinion that works within Council Road Reserve requires a permit for dredging and reclamation under Section 201 of the Fisheries Management Act 1994. NSW Fisheries also believe the proposal is inconsistent with the Coastal Policy and the Estuary Management Plan for Cudgera Creek.

The applicant in addressing this issue has advised that Council is the Consent Authority and not NSW Fisheries. This is correct, however the purpose of integrated development is to ensure that should Council approve a Development Application the necessary government departments who have a role in issuing further permits also support the development and are willing to issue those permits. In the past Council could have approved the Development Application with conditions requiring those permits to be

Reports from Director Development Services

obtained prior to work commencing. In certain circumstances, although the application was approved the necessary permits were not issued from the government departments and the development was unable to proceed.

In this case NSW Fisheries are required to issue two permits for this project to proceed. They have continued to oppose this Development Application since the time it was submitted and attached to the report is a copy of their correspondence to Council voicing this objection and refusal to issue general terms of approval for those permits. Consequently Council has no option but to refuse this development application in accordance with Section 91A(4) of the Environmental Planning Assessment Act 1979. This section states:

If the approval body informs the consent authority that it will not grant an approval that is required in order for the development to be lawfully carried out, the consent authority must refuse consent to the application.

Should Council ignore NSW Fisheries advice and issue development consent then it leaves itself open to a third party appeal under Section 123 of the Environmental Planning and Assessment Act 1979. To further negotiate with NSW Fisheries, and the applicant is considered to be pointless and the applicant should be encouraged to investigate a more appropriate site elsewhere in Hastings Point or Pottsville.

Separate to this matter, Council on behalf of the Tweed Coastal Committee has sought a permit from NSW Fisheries for the removal of the old Coast Road Bridge abutments to improve tidal flow in the estuary. As part of this proposal the subject stand of mangroves would be removed, and NSW Fisheries have issued this permit on the proviso that the subject works will improve the tidal flow in the estuary. This is in contrast to the proposed boat shed whereby NSW Fisheries believe it will have an adverse impact upon the tidal flow of the creek and negate what the Tweed Coastal Committee were originally trying to achieve.

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

No Draft EPI's affect this proposal.

(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. The applicant would be relying on parking within the public domain which is not consistent with DCP 2. However provided that the applicant understands no spaces will be reserved specifically the rescue facility this may be acceptable considering the use of the boat shed is for emergency purposes only. The access ramp when originally designed would have been difficult for a vehicle to negotiate while reversing a boat trailer. The applicant has prepared amended plans with an access ramp with an appropriate gradient.

Reports from Director Development Services

(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 storm or flood events. 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 will either require the removal of mangroves or result in there destruction during construction of the boat shed or during operation of the facility. NSW Fisheries have not issued their general terms of approval for the removal of this marine vegetation.

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. If the application was to be approved conditions would be recommended in relation to the use of non reflective colours, materials and the like.

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 within the site and members would be relying on the use of car parking spaces within the Peninsula Street Road Reserve.

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 at speed, and could if need be manhandle the boat across the entrance if there was insufficient water depth. However this raises questions regarding 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 locals when conditions prevail. This would also provide further hazards for the rescue boat to negotiate on it's way out of the creek and represents a liability risk for Tweed Coast Sea Rescue. The applicant has provided Council a copy of it's liability

Reports from Director Development Services

insurance to the value of \$30 million. Such insurance would be required wherever Tweed Coast Sea Rescue operated from.

Further should 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. It is noted such funding is unavailable to dredge the creek mouth at Kingscliff highlighting the difficulties in this regard.

Access: Access into the shed has been improved with the driveway ramp now proposed with an appropriate gradient. It is noted though the access from the road pavement is near the southern boundary to the large dwelling bordering the creek. This may create affect the amenity of this dwelling with vehicles and the like accessing the boat shed after hours

Conclusion: The siting of the boat shed in it's present location was raised with the applicant, whereby it was suggested more suitable sites in close proximity to the waters edge and not encumbered with the same problems as the Peninsula Street site should be investigated. Attempts have been made to secure the site opposite and adjacent to the existing boat ramp, however the Department of Lands have refused the use of this land for the proposed purpose. This site would not require permits from NSW Fisheries for dredging and reclamation, easy to access, has sufficient area for parking, and in terms of construction cost would be cheaper to build upon. Even better sites may be available on Mooball Creek at Pottsville. This waterway is deeper and wider with a short rock training wall at the mouth of the creek, while the potential for an accident with other recreational users would be further reduced.

In conclusion the site is considered unsuitable, and a more favourable sites may be available elsewhere in the area for an emergency facility that would overcome some if not all of 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 desirable in an emergency. 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 have do not support the proposal due to the impact the development will have on the tidal prism of Cudgera

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Creek, the site and the creek being unsuitable for such a development, the potential for conflict with other recreational users of the creek, the sensitive nature of the site in terms of habitat and site stability, and the area being adequately covered for marine emergencies by other emergency services.

An objection has also been received from a member of the public. The grounds for the objection include:

- the unsuitability of the site;
- impact upon the amenity of the creek;
- noise pollution as jet boats and skis are high revving water craft;
- lack of parking within Peninsula Street;
- better sites at Mooball Creek – Pottsville;
- proposal will impact upon public access to the foreshore;
- Shallow nature of the creek and creek mouth;
- Conflict with recreational users of the creek including dangers to children swimming and snorkelling in the creek;
- Impact from the wake of the boat upon the fragile creek environment causing erosion;
- Recreational users of the creek also create a hazard to motorised craft and will reduce response times for the rescue organisation.

Issues raised in the objection are considered valid and the site is not considered suitable for the proposed development.

(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. The Creek is a highly popular spot for recreation and in conjunction with its 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 placed on various public bodies such as Council and DLWC to finance the dredging of the creek.

Comments from the Environment and Community Services Division

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

Reports from Director Development Services

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 Engineering Services Division

The proposal is located within the road reserve, although car parking is not in accordance with DCP 2 Site Access and Parking Code, no objection is raised subject to the Tweed Coast Sea Rescue Squad understanding that no car parking within the road reserve will be reserved for the squad. Should the application be approved appropriate conditions of consent would apply in terms of the submission of detailed engineering plans and the like to ensure the existing road pavement is protected.

OPTIONS

1. Refuse the Development Application.
2. Invite the applicant to withdraw the application and investigate a more appropriate site elsewhere on the Tweed Coast.

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. 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, and more suitable sites are located elsewhere in the area which would negate a number if not all of these concerns. NSW Fisheries and the (former) Department of Land and Water Conservation do not support the proposal. As NSW Fisheries have refused to issue their general terms of approval under the Fisheries Management Act 1994 for the removal of marine vegetation and for dredging and reclamation, Council has no option but to refuse this application in accordance with Section 91A (4) of the Environmental Planning and Assessment Act 1979. Further negotiations and meetings are unlikely to resolve this matter and the application should be determined on the information provided.

Should Council ignore NSW Fisheries advice and development consent is granted, Council leaves itself open to a third party appeal under Section 123 of the Environmental Planning and Assessment Act 1979. Noting that there was also an objection from a third party in addition to NSW Fisheries, this could be a possibility. Partly for these reasons the application is recommended for refusal.

Reports from Corporate Services

4. ORIGIN: General Manager

FILE REF: TACTIC

REPORT TITLE:

Tweed and Coolangatta Tourism Inc (TACTIC) Monthly Performance Reports - February, March, May, July, August and September 2003

SUMMARY OF REPORT:

Tweed and Coolangatta Tourism Inc (TACTIC) monthly performance reports for February, March, May, July, August and September 2003 are provided in accordance with the Agreement criteria.

RECOMMENDATION:

That this report be received and noted.

Reports from Corporate Services

REPORT:

The agreement between Council and TACTIC requires the organisation to report on a monthly basis its performance in accordance with a number of specific requirements. The following details are provided for the months of February, March, May, July, August and September 2003.

FINANCIAL HIGHLIGHTS FEBRUARY 2003

a. Month's Results

- Gross Profit - \$35,003
- Expenditure - \$26,943
- Profit / Loss - \$8,060
- Budgeted Profit / Loss - \$4,639
- Variance from Budget - \$4,459

Reasons for Variance

- No co-operative marketing funds received (\$500)
- Write off Coastliner Membership (change owner)
- \$635 shortfall retail sales
- \$485 Administration - air conditioner powerpoint
- \$520 uniforms
- \$663 miscellaneous - Bella Mare write off
- \$696 R&M WHRC air conditioning

b. Year to Date Results

- Profit / Loss - \$41,806
- Budgeted Profit / Loss - \$31,828
- Variance from Budget - \$9,978

c. Cash at Bank 21 March 2003

\$17,399.56 (plus Term Deposit \$101,710.31, Cash in Hand \$550)

Reports from Corporate Services

RESERVATIONS & SALES:

a. Visitor Numbers to Visitor Information Centres

| WHRC | | | | | Tweed Heads | | | | |
|------------------------|------------|--------|------------|--------------|-------------------------|------------|--------|------------|---------------|
| | 2003 | % | 2002 | Variance | | 2003 | % | 2002 | Variance |
| Total Visitors | 1,734 | | 1,752 | -1.03% | Tourism Visitors | 2,671 | | 714 | 274.09% |
| Type of Enquiry | | | | | Type of Enquiry | | | | |
| Tourism | 501 | 52.00% | 508 | -1.38% | Tourism | 474 | 71.60% | 299 | 58.53% |
| National Parks | 189 | 27.00% | 156 | 21.15% | National Parks | 9 | 1.36% | 40 | -77.50% |
| Street Directions | 113 | 10.00% | 90 | 25.56% | Street Directions | 65 | 9.82% | 28 | 132.14% |
| Bus Timetables | 21 | 1.00% | 15 | 40.00% | Bus Timetables | 60 | 9.06% | 3 | 1900.00% |
| Other | 90 | 10.00% | 109 | -17.43% | Other | 54 | 8.16% | 53 | 1.89% |
| | | | | | Mall | | 0.00% | 0 | |
| TOTAL | 914 | | 878 | 4.10% | TOTAL | 662 | | 423 | 56.50% |

Highlights

- 4% increase in total visitation to WHRC over last year
- WHRC National Parks enquiries up 21% over last year

b. VIC Issues - Murwillumbah

- Now selling National Parks Annual Passes - 5 sold so far
- New Volunteers have started including one Sunday

c. Reservations System

- Software installed
- Training scheduled for late March
- On track for member launch at member night 30 April 2003

d. Chinderah VIC Working Group

- Conceptual drawing being done
- Preliminary cost has been received for land. Much more work needed to get agreement

MARKETING & MEMBERSHIP

a. Television Commercial

- Limited Tender has been given to Agencies to develop Strategic Creative Concept
- Submissions close end March
- Production can begin once finalist is selected
- Presentation being made to TSC next Wednesday as part of request for extra \$36k

b. Retail product line

We are currently finalising a range of retail products to be developed by TACTIC for sale through VIC's and wholesaling throughout the Tweed.

Reports from Corporate Services

c. *Map*

Due for release mid April.

d. *Public Relations*

- Claire Cooper has been selected as PR Consultant
- Action Plan currently being developed

e. *Festivals & Events*

- Cost / Benefits analysis being done as part of Budget process
- Will be ready for Board consideration at next meeting

f. *Logo*

Waiting for final artwork for Board approval

MEMBERSHIP

Current Members

| | |
|----------------------|-----|
| Service Members | 24 |
| Tactic Members | 137 |
| Corporate | 4 |
| Corporate Affiliates | 4 |
| Reciprocal | 2 |

Current Total Members 171

New Members to be Ratified 7

Total Members end March 2003 178

Current Membership Projects

- From now to June 2003 new members will be offered option of paying pro-rata or current 12 month rate for 15 months ie to 30 June 2004
- Co-ordinating Village association memberships with development of map
- Review of rates required for 2003/2004
- Review of member benefits currently being undertaken
- Redesign of member certificate

FINANCIAL HIGHLIGHTS MARCH 2003

a. *Month's Results*

- Gross Profit - \$38,346
- Expenditure - \$25,911
- Profit / Loss - \$12,435

Reports from Corporate Services

- Budgeted Profit / Loss - (\$221)
- Variance from Budget - \$12,656

Reasons for Variance

- Granada
- \$1,691 Memberships
- Bus & Coach mail outs

b. Year to Date Results

- Profit / Loss - \$54,210
- Budgeted Profit / Loss - \$36,607
- Variance from Budget - \$17,603

c. Cash at Bank 23 April 2003

\$131,047.03 (plus Term Deposit \$50,000, Cash in Hand \$550)

RESERVATIONS & SALES

a. Visitor Numbers to Visitor Information Centres

| WHRC | | | | | Tweed Heads | | | | |
|------------------------|--------------|--------|------------|---------------|------------------------|------------|--------|------------|---------------|
| | 2003 | % | 2002 | Variance | | 2003 | % | 2002 | Variance |
| Total Visitors | 2,210 | | 2,225 | -0.67% | Total Visitors | 3,090 | | 739 | 318.13% |
| <i>Type of Enquiry</i> | | | | | <i>Type of Enquiry</i> | | | | |
| Tourism | 756 | 64.73% | 594 | 27.27% | Tourism | 533 | 69.13% | 301 | 77.08% |
| National Parks | 194 | 16.61% | 184 | 5.43% | National Parks | 5 | 0.65% | 23 | -78.26% |
| Street Directions | 92 | 7.88% | 88 | 4.55% | Street Directions | 96 | 12.45% | 37 | 159.46% |
| Bus Timetables | 16 | 1.37% | 18 | -11.11% | Bus Timetables | 75 | 9.73% | 5 | 1400.00% |
| Other | 110 | 9.42% | 109 | 0.92% | Other | 62 | 8.04% | 59 | 5.08% |
| TOTAL | 1,168 | | 993 | 17.62% | TOTAL | 771 | | 425 | 81.41% |

Highlights

- 18% increase in total visitation to WHRC over last year
- Tweed 81% over last year

b. Reservations System

- Software installed
- Ready for launch

c. Chinderah VIC Working Group

Awaiting Conceptual drawings from architect

Reports from Corporate Services

MARKETING & MEMBERSHIP

- a. *Strategic Creative Concept*
 - Tenders have been pitched
- b. *Retail product line*
 - Shots finalised
 - Establishing Tender process for Photographers
- c. *Map*

Ready for launch
- d. *Public Relations*

Claire Cooper working on media releases and action plan
- e. *Festivals & Events*

Awaiting Lesley Buckley's return

MEMBERSHIP

Current Members

| | |
|------------------------------|------------|
| Service Members | 27 |
| Tactic Members | 140 |
| Corporate | 5 |
| Corporate Affiliates | 4 |
| Reciprocal | 3 |
| Current Total Members | 179 |

New Members to be ratified

Service 3

- Bogangar General Store
- Moo Moo Café
- Tumbulgum Progress Association

TACTIC 3

- Tweed River Seaplane Service
- Treetops Eco Centre
- Tweed Coast Holiday Parks

Total Members end April 2003 185

Reports from Corporate Services

Current Membership Projects

- Review of member benefits currently being undertaken

FINANCIAL HIGHLIGHTS APRIL 2003

a. Visitor numbers to Visitor Information Centres

| WHRC | | | | | Tweed Heads | | | | |
|------------------------|--------------|--------|------------|---------------|------------------------|------------|--------|------------|---------------|
| | 2003 | % | 2002 | Variance | | 2003 | % | 2002 | Variance |
| Total Visitors | 2,210 | | 2,225 | -0.67% | Total Visitors | 3,090 | | 739 | 318.13% |
| <i>Type of Enquiry</i> | | | | | <i>Type of Enquiry</i> | | | | |
| Tourism | 756 | 64.73% | 594 | 27.27% | Tourism | 533 | 69.13% | 301 | 77.08% |
| National Parks | 194 | 16.61% | 184 | 5.43% | National Parks | 5 | 0.65% | 23 | -78.26% |
| Street Directions | 92 | 7.88% | 88 | 4.55% | Street Directions | 96 | 12.45% | 37 | 159.46% |
| Bus Timetables | 16 | 1.37% | 18 | -11.11% | Bus Timetables | 75 | 9.73% | 5 | 1400.00% |
| Other | 110 | 9.42% | 109 | 0.92% | Other | 62 | 8.04% | 59 | 5.08% |
| TOTAL | 1,168 | | 993 | 17.62% | TOTAL | 771 | | 425 | 81.41% |

FINANCIAL HIGHLIGHTS MAY 2003

a. Month's Results

- Gross Profit - \$32,565
- Expenditure - \$33,961
- Profit / Loss - (\$1,396)
- Budgeted Profit / Loss - (\$3,247)
- Variance from Budget - \$1,851

Reasons for Variance

Revenue

- \$947 return from Term Deposit
- No co-op marketing funds received (\$750)
- Membership \$1,627 over budget
- Retail Sales \$2,765 over budget - the highest month ever for retail. Maps accounted for around \$1,765
- Travel commissions \$315 over budget

Expenditure

- (\$1,597) for Human Resources - we're mean and lean
- \$6,546 over spend for Marketing as previously discussed
- WHRC expenditure \$1,049 under budget

Reports from Corporate Services

b. Year to Date Results

- Profit / Loss - \$75,002
- Budgeted Profit / Loss - \$15,117
- Variance from Budget - \$59,885

c. Cash at Bank 11 June 2003

- \$163,461 (plus Term Deposit \$50,000, Cash on hand \$112,911, Floats \$550)

RESERVATIONS & SALES:

a. Visitor Numbers to Visitor Information Centres

| WHRC | | | | | Tweed Heads | | | | |
|------------------------|--------------|--------|--------------|---------------|------------------------|--------------|--------|------------|----------------|
| | 2003 | % | 2002 | Variance | | 2003 | % | 2002 | Variance |
| Total Visitors | 2,806 | | 2,284 | 22.85% | Total Visitors | 3,701 | | 735 | 403.54% |
| Type of Enquiry | | | | | Type of Enquiry | | | | |
| Tourism | 765 | 63.22% | 541 | 41.40% | Tourism | 684 | 65.90% | 286 | 139.16% |
| National Parks | 193 | 15.95% | 237 | -18.57% | National Parks | 15 | 1.45% | 3 | 400.00% |
| Street Directions | 112 | 9.26% | 95 | 17.89% | Street Directions | 114 | 10.98% | 56 | 103.57% |
| Bus Timetables | 11 | 0.90% | 9 | 22.22% | Bus Timetables | 69 | 6.65% | 26 | 165.38% |
| Other | 129 | 10.66% | 136 | -5.15% | Other | 156 | 15.03% | 65 | 140.00% |
| TOTAL | 1,210 | | 1,018 | 18.86% | TOTAL | 1,038 | | 436 | 138.07% |

Highlights

- Steady increase of almost 19% in visits to the WHRC
- 138% increase in total visitation to Tweed from previous year

Retail Sales

| | |
|------------------------|--------|
| Number of Sales | 611 |
| Average \$ per sale | \$9.10 |
| Average \$ per visitor | \$4.59 |

Highlights

- Touring maps accounted for 28% of retail sales for WHRC
- Tweed Mall sold 136 maps
- Sales figure for retail sales included wholesale map sale, which has increased the average sale amount.

b. Reservations System

- Revised terms & conditions

Reports from Corporate Services

c. Chinderah VIC Working Group

- Awaiting Conceptual drawings from architect

d. Group Bookings

| Group Name | Dates | No. bookings to date | Value to Date |
|---|------------------------------|----------------------|---------------|
| Country Public Libraries Assoc. | 2-4 July 2003 | 31 | \$15,721.50 |
| Country Public Libraries Assoc. | 2-4 July 2003 | 4 (awaiting payment) | \$1,604.00 |
| Karen McCloy Wedding | 5 July 2003 | Nil | |
| City of the Arts Launch | 3 August 2003 | Nil | |
| Coolangatta Tweed Heads Veterans Week of Golf | 11-15 August 2003 | 1 | \$275.00 |
| HMAS Ganges Assoc. Reunion | 5-7 September 2003 | 2 | \$1,170.00 |
| Woods/Davidson Wedding | 13 September 2003 | Nil | |
| Winter Swimming Championships | 13-14 September 2003 | Nil | |
| Speed on Tweed | 20-21 September 2003 | Nil | |
| Vietnam Veterans Reunion | 17-20 October 2003 | 4 | \$906.00 |
| Vindicatrix Reunion | 31 October - 2 November 2003 | 4 | \$1,188.00 |

MARKETING & MEMBERSHIP

a. Budget

- Total allocation: \$187,000
 - Television commercial \$160,000
 - TC Visitors Guide \$11,000
 - Various \$16,000

b. Television

- Finalising creative brief
- Tenders will be sought to produce
- Submissions closing date 1 July 2003
- Approval of successful tender 13 July 2003
- Finalise shooting 31 July 2003
- Delivery of final TVC's 31 August 2003
- Beach and Hinterland concepts have been identified as priority to complete

Reports from Corporate Services

c. *Raising \$60,000 in co-operative funds*

- Terry presenting to Combined Clubs
- A potential sponsors cocktail function is being co-ordinated to raise funds
- Concept brochures being developed

d. *Website*

- Links policy to be reviewed
- Marketing committee recommendation *"That a reciprocal link be offered free of charge to all Festivals & Events"*

e. *Retail Product Line*

- Map is selling well and offered to members at wholesale price for minimum purchase of 20
- Panoramic shoot ongoing - selection of some shots made

f. *Public Relations*

Claire Cooper developing Visiting Journalist program and community based PR

g. *Festivals & Events*

- Awaiting reply for final round of funding submitted to DSRD
- Volunteering Tweed offered suggestion of Admin Support

h. *Photo Shoot*

- Brief sent out to 3 photographers
- Tender documents due

i. *NRT Destination Marketing Campaign*

Recommendation from the Marketing Committee: *"That TACTIC contribute \$5,000 to a proposed destination marketing campaign by NRT"*.

MEMBERSHIP

Current Members

| | |
|------------------------------|------------|
| Service Members | 36 |
| Tactic Members | 147 |
| Corporate | 5 |
| Corporate Affiliates | 4 |
| Reciprocal | 3 |
| Current Total Members | 195 |

Reports from Corporate Services

FINANCIAL HIGHLIGHTS JUNE 2003

a. Month's Results

- Gross Profit - \$24,507
- Expenditure - \$65,982
- Profit / **Loss** – **(\$41,475)**
- Budgeted Profit / **Loss** – **(\$5,891)**
- Variance from Budget – **(\$35,584)**

Reasons for Variance

Revenue

- **(\$4,082)** Membership reversals
- \$1,392 over target Retail sales

Expenditure

- \$6,046 over for Human Resources due to three pay month
- \$29,097 over Budget Marketing (\$25,000 TVC / \$8,500 photo shoot)

b. Year to Date Results

- Profit / **Loss** – \$33,526
- Budgeted Profit / **Loss** - \$9,726
- Variance from Budget - \$23,800

c. Cash at Bank 18th July 2003

- \$126,636.90 (Cash on hand \$76,086.90, Term Deposit \$50,000, Floats \$550)

RESERVATIONS & SALES

a. Visitor Numbers to Visitor Information Centres

June

| | WHRC | | | | Tweed Heads | | | | |
|------------------------|--------------|--------|------------|---------------|------------------------|------------|------------|----------------|---------|
| | 2003 | % | 2002 | Variance | 2003 | % | 2002 | Variance | |
| Total Visitors | 2,471 | | 2,143 | 15.31% | Total Visitors | 3,277 | 641 | 411.23% | |
| Type of Enquiry | | | | | Type of Enquiry | | | | |
| Tourism | 657 | 56.39% | 564 | 16.49% | Tourism | 663 | 68.63% | 252 | 163.10% |
| National Parks | 250 | 21.46% | 189 | 32.28% | National Parks | 15 | 1.55% | 5 | 200.00% |
| Street Directions | 105 | 9.01% | 117 | -10.26% | Street Directions | 95 | 9.83% | 29 | 227.59% |
| Bus Timetables | 21 | 1.80% | 8 | 162.50% | Bus Timetables | 74 | 7.66% | 31 | 138.71% |
| Other | 132 | 11.33% | 117 | 12.82% | Other | 119 | 12.32% | 57 | 108.77% |
| TOTAL | 1,165 | | 995 | 17.09% | TOTAL | 966 | 374 | 158.29% | |

Highlights

- Tourism visitors to WHRC up 16.5% over last year
- Increase in total visitation to Tweed heighten by increase in visitors to the mall during the school holidays period.

Reports from Corporate Services

Year to Date

| | 2002/3 | 2001/02 WHRC | Variance | 2002/3 | 2001/02 Tweed Heads | Variance |
|--------------|---------------|-----------------|--------------|---------------|------------------------|---------------|
| Sept Qtr | 6,885 | 7,598 | -9.38% | 1,401 | 2,524 | -44.49% |
| Dec Qtr | 6,976 | 6,226 | 12.05% | 5,537 | 2,059 | 168.92% |
| Jan Qtr | 5,405 | 4,415 | 22.42% | 3,041 | 1,830 | 66.17% |
| Jun Qtr | 2,533 | 2,170 | 16.73% | 1,887 | 933 | 102.25% |
| Total | 21,799 | 20,409 | 6.81% | 11,866 | 7,346 | 61.53% |

Highlights

- Visitation to WHRC up almost 7% on last year to date
- Visitation to Tweed up 61.53% over last year

Retail Sales

| | June 2003 | June 2002 |
|------------------------|-----------|-----------|
| Number of Sales | 527 | |
| Average \$ per Sale | \$9.38 | |
| Average \$ per Visitor | \$2.00 | \$1.38 |

Highlights

- Tweed Malls Map sales for June: retail 107, wholesale 100
- Significant sales in book products, topographical maps and street directories for WHRC, targeting local trade.
- Map sales at WHRC remain steady at 22.5% of sales including retail & wholesale.

c. Reservations System

- All accommodation members information ready to publish online. Seven members have supplied rates and availability ready to book as soon as system goes live with in the week.
- Recruitment of information and contract for activity & attraction members to be distributed week commencing 28th July 2003

d. Chinderah VIC Working Group

Awaiting enquiries by Warren Polglase on acquiring property.

Reports from Corporate Services

e. Group Bookings

| Group Name | Dates | Bookings to date | Value to Date |
|---|--|------------------|--------------------------------------|
| City of the Arts Launch | 3 rd Aug | 2 | \$578.00 |
| Coolangatta Tweed Heads Veterans Week of Golf | 11 th – 15 th Aug | 1 | \$ 275.00 |
| HMAS Ganges Association Re-Union | 5 th – 7 th Sept | 2 | \$1,170.00 |
| Woods/Davidson Wedding | 13 th Sept | Nil | |
| Winter Swimming Championships | 13 th & 14 th Sept | Nil | |
| Speed on Tweed | 20 th & 21 st Sept | 1 | \$ 188.00 |
| Vietnam Veterans Re-Union | 17 th – 20 th Oct | 4 | \$ 906.00 |
| Vindicatrix Re-Union | 31 st Oct – 2 nd Nov | 6 | \$1,704.00 (\$396 yet to be paid) |

MARKETING

a. Television

- Brief has been approved & Tender selected
- Shooting to start 5th August
- Delivery of final TVC's 31st August 2003
- 5 concept 15 second commercials to be shot
- Hawaii without the Crowds
- Kakadu without the Crocodiles
- Amazon without the Piranhas
- New Zealand without the Sheep
- Las Vegas without the Mob

Raising \$60,000 in co-operative funds

- Liaising with Clubs to provide \$15,000
- In principle commitment from Casuarina for \$15,000
- Tony Scott – Quadrant Marketing to provide \$5,000
- Brochure sales target \$15,000
- A potential sponsors cocktail function is being coordinated to raise \$15,000

Reports from Corporate Services

b. Retail product line

- Postcards being designed will be available soon
- Posters being designed will be available soon

c. Public Relations

- Article obtained in Courier Mail
- Working on proposals to:
 - Burke's Backyard
 - Family Choice
 - Getaway
 - Rex Hunt

d. Festivals & Events

- Been advised by DSRD funding is successful
- Advert for position to be placed by end July
- Position likely to be filled by mid September

e. Photo Shoot

- Brief from Impressions Imprint selected by Marketing Committee
- Tender under way, to be completed by end October

MEMBERSHIP

Total Members end June 2003 **206** (Treetops Eco Centre still to pay – 207)

Current Members

| | |
|-----------------------------|----|
| Service Members | 24 |
| Tactic Members | 54 |
| Corporate Members | 5 |
| <i>Corporate Affiliates</i> | 9 |
| Reciprocal | 4 |

Current Total Members 87

Members carried over to 2004 (don't have to renew at 1st July 2003)

| | |
|-------------------|----|
| Service Members | 16 |
| Tactic Members | 17 |
| Corporate Members | 2 |

Reports from Corporate Services

New members to be ratified

| | |
|---------------------------|---|
| Service | 1 |
| Uki Residents Association | |
| TACTIC | 2 |
| Limpinwood Cottage | |
| Murwillumbah Golf Club | |

Total Financial Members end June 2003 90/99

Breakdown of renewals

Members Renewed

| | | |
|-----------|----|-------------|
| Service | 10 | |
| TACTIC | 42 | |
| Corporate | 3 | (Affils: 4) |
| Total | 55 | |

Total invoices sent 168 32.73%

Members not renewing

| | |
|-------------------------------|------------------------------------|
| Cougs Art & Café | Closed |
| Jetsetter Car Rentals | Low benefits vs GCTB / service |
| Kouranga Hermitage | Closed |
| Long Neck Rainforest Products | reduced production |
| Matilda Motel | Closed |
| Ritz Rail | Closed |
| Tweed River Houseboats | Too Expensive for return - service |
| Tweed Waters Tourist Park | not sent inv |
| Nirvana Bed & Breakfast | Closed |
| Putt Putt Golf Mermaid Beach | Brox display only - service |

Queries

| | |
|---------------------|---|
| Wangaree | Same price as AAA / unsure of benefit value compared with ROI |
| Never Never Safaris | Not enough ROI |
| Drifters | Only want brox displayed – service |

Reports from Corporate Services

FINANCIAL HIGHLIGHTS JULY 2003

a. *Month's Results*

- Gross Profit - \$73,806
- Expenditure - \$37,250
- Profit / **Loss** – \$36,556
- Budgeted Profit / **Loss** – \$36,118
- Variance from Budget – \$438

Reasons for Variance

Revenue

- **(\$3,915)** Membership overstated in budget
- \$1,510 over target Retail sales
- \$773 over target in Commissions

Expenditure

- \$1,871 under Admin due to no moving expenses (based on last year when we had moving expenses)
- \$3,674 under Human Resources expensed in June
- \$855 over spent on Network Night
- \$568 TH VIC. VIC wasn't operating last year so budget based on last year out

b. *Year to Date Results*

- Profit / **Loss** – \$36,556
- Budgeted Profit / **Loss** – \$36,118
- Variance from Budget – \$438

c. *Cash at Bank 15 August 2003*

- \$158,399.99 (Cash on hand \$107,849.99, Term Deposit \$50,000, Floats \$550)

RESERVATIONS & SALES

a. *Visitor Numbers to Visitor Information Centres*

Reports from Corporate Services

| July | | | | | | | | | |
|------------------------|--------------|--------|--------------|---------------|------------------------|-------------|--------|------------|----------------|
| WHRC | | | | | Tweed Heads | | | | |
| | 2003 | % | 2002 | Variance | | 2003 | % | 2002 | Variance |
| Total Visitors | 3,035 | | 2,403 | 26.30% | Total Visitors | 4,649 | | 1,123 | 313.98% |
| Type of Enquiry | | | | | Type of Enquiry | | | | |
| Tourism | 906 | 64.35% | 616 | 47.08% | Tourism | 969 | 72.48% | 468 | 107.05% |
| National Parks | 265 | 18.82% | 320 | -17.19% | National Parks | 20 | 1.50% | 6 | 233.33% |
| Street Directions | 125 | 8.88% | 116 | 7.76% | Street Directions | 127 | 9.50% | 59 | 115.25% |
| Bus Timetables | 13 | 0.92% | 9 | 44.44% | Bus Timetables | 132 | 9.87% | 29 | 355.17% |
| Other | 99 | 7.03% | 127 | -22.05% | Other | 89 | 6.66% | 94 | -5.32% |
| TOTAL | 1,408 | | 1,188 | 18.52% | TOTAL | 1337 | | 656 | 103.81% |

Highlights

- Extremely busy month for visitors to both Centres, especially Tweed Heads, with visitor numbers experiencing highest monthly figures this calendar year.
- Increase in numbers partially attributed to the large number of long stay Victorian visitors to the region during this period.

Year to Date

| | WHRC | | | Tweed Heads | | |
|-----------------|--------------|---------------|----------------|--------------|---------------|----------------|
| | 2003/4 | 2002/03 | Variance | 2003/4 | 2002/03 | Variance |
| Sept Qtr | 3,035 | 6,885 | -55.92% | 2,311 | 1,401 | 64.95% |
| Dec Qtr | | 6,976 | -100.00% | | 5,537 | -100.00% |
| Jan Qtr | | 5,405 | -100.00% | | 3,041 | -100.00% |
| Jun Qtr | | 2,533 | -100.00% | | 1,887 | -100.00% |
| Total | 3,035 | 21,799 | -86.08% | 2,311 | 11,866 | -80.52% |

Highlights

- Visitation to both Centres noticeably increased compared to July 2002.
- Visitation to Tweed up 64.95% over previous financial year to date.

Retail Sales

| | July 2003 | July 2002 |
|------------------------|-----------|-----------|
| Number of Sales | 495 | |
| Average \$ per Sale | \$6.63 | |
| Average \$ per Visitor | \$1.34 | \$1.41 |

Highlights

- Tweed Malls Map sales for July: retail - 66
- Wholesale maps sales for the month totalled 656 with several outlets re-ordering supplies.
- Map sales at WHRC remain steady at 105 maps for the month.

Reports from Corporate Services

b. Reservations System

- 18 accommodation members currently active with bookable product. Bookings starting to filter through.
- Mail out to Activities/Attraction members with bookable product to be completed week ending 29th August 2003.

c. Group Bookings

| Group Name | Dates | Bookings to Date | Value to Date |
|---|---|------------------|---------------|
| City of the Arts Launch | 3 rd August 2003 | 3 | \$578.00 |
| Coolangatta Tweed Heads Veterans Week of Golf | 11 th – 15 th August 2003 | 1 | \$275.00 |
| HMAS Ganges Association Re-Union | 5 th – 7 th September 2003 | 2 | \$1,170.00 |
| Woods/Davidson Wedding | 13 th September 2003 | 2 | \$212.00 |
| Winter Swimming Championships | 13 th & 14 th September 2003 | Nil | |
| Speed on Tweed | 20 th & 21 st September 2003 | 2 | \$378.00 |
| Vietnam Veterans Re-Union | 17 th – 20 th October 2003 | 5 | \$1,356.00 |
| Vindicatrix Re-Union | 31 st October – 2 nd November | 8 | \$2,160.00 |

MEMBERSHIP

Total Members end June 2003

206 (Treetops Eco Centre still to pay – 207)

Current Members

Service Members 24

Tactic Members 54

Corporate Members 5

Corporate Affiliates 9

Reciprocal 4

Current Total Members 87

Members carried over to 2004 (don't have to renew at 1st July 2003)

Service Members 16

Reports from Corporate Services

Tactic Members 17

Corporate Members 2

New members to be ratified

Service 1

Uki Residents Association

TACTIC 2

Limpinwood Cottage

Murwillumbah Golf Club

Total Financial Members end July 2003 90 / 99

Breakdown of renewals

Members Renewed

Service 10

TACTIC 42

Corporate 3 (Affils: 4)

Total 55

Total invoices sent 168 32.73%

Members not renewing

Cougs Art & Café Closed

Jetsetter Car Rentals Low benefits vs GCTB / service

Kouranga Hermitage Closed

Long Neck Rainforest Products reduced production

Matilda Motel Closed

Ritz Rail Closed

Tweed River Houseboats Too Expensive for return - service

Tweed Waters Tourist Park not sent inv

Nirvana Bed & Breakfast Closed

Putt Putt Golf Mermaid Beach Brox display only - service

Queries

Wangaree Same price as AAA / unsure of benefit value compared with ROI

Never Never Safaris Not enough ROI

Drifters Only want brox displayed – service

Reports from Corporate Services

FINANCIAL HIGHLIGHTS SEPTEMBER 2003

a. Month's Results

- Gross Profit \$28,011
- Expenditure \$32,245
- Profit/Loss (\$4,234)
- Budgeted Profit/Loss \$24,598
- Variance from Budget (\$28,832)

Reasons for Variance

\$23,100 – Brochure advertising not sold in August & Clubs Funding not forthcoming

b. Year to Date Results

- Profit/Loss \$32,328
- Budgeted Profit/Loss \$60,716
- Variance from Budget \$28,388

c. Cash at Bank 15th September 2003

\$142,759.99 (\$66,451.78 Cash in Bank, Term Deposit \$75,758.21, Cash in Hand \$550)

d. Projected Extraordinary Items

- Office Relocation
- Marketing Expenditure
- Travel Licence

RESERVATIONS & SALES

a. Visitor Numbers to Visitor Information Centres

August

| WHRC | | | | | Tweed Heads | | | | |
|------------------------|--------------|--------|-------------|---------------|------------------------|-------------|--------|----------|----------------|
| | 2003 | % | 2002 | Variance | | 2003 | % | 2002 | Variance |
| Total Visitors | 2,679 | | 1,062 | 152.26% | Total Visitors | 4,086 | | 0 | #DIV/0! |
| Type of Enquiry | | | | | Type of Enquiry | | | | |
| Tourism | 963 | 52.00% | 616 | 56.33% | Tourism | 918 | 71.00% | 0 | #DIV/0! |
| National Parks | 150 | 27.00% | 259 | -42.08% | National Parks | 26 | 1.00% | 0 | #DIV/0! |
| Street Directions | 103 | 10.00% | 79 | 30.38% | Street Directions | 115 | 9.00% | 0 | #DIV/0! |
| Bus Timetables | 15 | 1.00% | 4 | 275.00% | Bus Timetables | 124 | 5.00% | 0 | #DIV/0! |
| Other | 117 | 10.00% | 104 | 12.50% | Other | 88 | 14.00% | 0 | #DIV/0! |
| TOTAL | 1,348 | | 1062 | 26.93% | TOTAL | 1271 | | 0 | #DIV/0! |

Highlights

- No Visitor Statistics for Tweed Heads August 2002 due to temporary closure
- Steady traffic at both centres, predominantly older markets.

Reports from Corporate Services

- Noticeably quieter than July, consistent with visitor numbers to GCTB who also showed a decrease in visitor numbers compared to July

Year to Date

| | 2003/4 | 2002/03 | Variance | 2003/4 | 2002/03 | Variance |
|--------------|--------------|---------------|----------------|--------------|---------------|----------------|
| | WHRC | | | Tweed Heads | | |
| Sept Qtr | 5,714 | 6,885 | -17.01% | 4,357 | 1,401 | 210.99% |
| Dec Qtr | | 6,976 | -100.00% | | 5,537 | -100.00% |
| Jan Qtr | | 5,405 | -100.00% | | 3,041 | -100.00% |
| Jun Qtr | | 2,533 | -100.00% | | 1,887 | -100.00% |
| Total | 5,714 | 21,799 | -73.79% | 4,357 | 11,866 | -63.28% |

Highlights

Visitation to Murwillumbah continues to increase with a 56% increase for August, compared with August 2003.

Retail Sales

| | August 2003 | August 2002 |
|------------------------|-------------|-------------|
| Number of Sales | 557 | |
| Average \$ per Sale | \$7.82 | |
| Average \$ per Visitor | \$1.63 | \$1.41 |

Highlights

- Tweed Malls Map sales for August retail - 73 - \$269.00
- Wholesale maps sales for the month totalled \$742.00
- Retail sales for August were strong, \$4352.00 which is \$1941.00 above budget
- Strong sales in books

b. Reservations System

Steady increase to bookable product for accommodation. Forecast at least 25 properties listed by the end of September.

4 responses for Activities & Attractions – hope to go live with bookable product by the 30 September.

Bookings through Reservations System

| | No. Bookings | No. Nights | Total Value | Av. Stay (Nights) | Av. Value Per Bkg | Avg value per night |
|-----------|--------------|------------|-------------|-------------------|-------------------|---------------------|
| August | 8 | 17 | \$1,285 | 2.13 | \$161 | \$76 |
| September | 9 | 28 | \$3,909 | 3.11 | \$434 | \$140 |

Reports from Corporate Services

c. Group Bookings as at 18th September 2003

| Group Name | Date | Bookings to Date | Value to Date |
|---------------------------|---|------------------|---------------|
| Speed on Tweed | 20 th & 21 st Sep 2003 | 2 | \$378.00 |
| Vietnam Veterans Re-Union | 17 th – 20 th Oct 2003 | 5 | \$1,356.00 |
| Vindicatrix Re-Union | 31 st Oct – 2 nd Nov 2003 | 8 | \$2,160.00 |

MEMBERSHIP AUGUST 2003

Current Financial Members

| | | |
|--------------|------------|----------|
| Service | 31 | |
| TACTIC | 115 | |
| Reciprocal | 4 | |
| Corporate | 6 | Affils 9 |
| TOTAL | 156 | |

Total Financial Members end September 2003

159 / 168

Breakdown of renewals

Members Renewed

| | | |
|----------------------------|-----|-------------|
| Service | 16 | |
| TACTIC | 96 | |
| Corporate | 4 | (Affils: 4) |
| Total | 116 | |
| Total invoices sent | 168 | 69.04% |

Renewals Outstanding as of 18 September = 31

Members advised not renewing

| | |
|----------------------------|--|
| Tweed River Hacienda | Only wants membership for Homestead |
| Cabarita Beach Hotel Motel | Closing for redevelopment will rejoin |
| Chillingham Store | Sold – new owners in Nov. |
| David Fleay Wildlife Park | The park is changing direction & focusing on schools, educational research & minimising tourism. |
| Drifters Holiday Park | Not enough bookings from us |
| NOREX | Downgrading to service / Paul Waters may join as individual instead |

Reports from Corporate Services

Wangaree B&B

Not enough bookings/benefits

Notes:

Potential renewals still to come in = 24

Attrition rate: 8.3% representing 14 non-renewals / 168 invoices sent out

BOARD ATTENDANCE AT MEETINGS

| | 4/9/03 | 24/9/03 |
|----------------|--------|---------|
| Lee Eyre | X | X |
| Barrie Briggs | ✓ | ✓ |
| Shane Marshall | ✓ | X |
| Clive Parker | X | ✓ |
| Zeta Grealy | ✓ | ✓ |
| Mark Manteit | ✓ | ✓ |
| Wendy Marshall | X | X |
| Bob Brinsmead | X | X |

Reports from Corporate Services

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Reports from Corporate Services

5. ORIGIN: Administration Services Unit

FILE REF: Pecuniary Interest

REPORT TITLE:

Pecuniary Interest Ordinary Returns and Register

SUMMARY OF REPORT:

Sections 449 and 450A of the Local Government Act requires the General Manager to obtain returns disclosing interest of Councillors and designated persons and to table these returns at the first meeting held after the last date for lodgement (being 30 September 2003). Ordinary returns completed under this section relate to the period 1 July 2002 to 30 June 2003.

RECOMMENDATION:

That this report be received and noted.

Reports from Corporate Services

REPORT:

Section 449 of the Local Government Act deals with the General Manager's responsibilities for the keeping of a Register of Returns containing the completed and lodged returns of Councillors and designated persons. These returns are to be made available for inspection by members of the public.

Section 450(a)(2) requires the General Manager to table the returns at the first meeting of Council held after the last day for lodgement of the returns, the date being 30 September 2003.

The returns relate to the period 1 July 2002 to 30 June 2003.

Reports from Corporate Services

6. ORIGIN: Administration Services Unit

FILE REF: DW945623; Amalgamations

REPORT TITLE:

Parliamentary Inquiry into Local Government Amalgamations

SUMMARY OF REPORT:

The Legislative Council General Purpose Standing Committee No. 5 has announced a Parliamentary Inquiry into Local Government Amalgamations. The terms of reference for the inquiry has identified 10 issues that the Committee considers appropriate to be addressed during the inquiry.

The closing date for written submissions is Friday, 10 October 2003, with the Committee expected to report in December 2003.

Council has provided a response to the Minister for Local Government pertaining to structural reform and it is considered that Council should not present a submission to the inquiry.

RECOMMENDATION:

That this report be received and noted.

Reports from Corporate Services

REPORT:

The Legislative Council General Purpose Standing Committee No. 5 has announced a Parliamentary Inquiry into Local Government Amalgamations. The terms of reference for the inquiry has identified 10 issues that the Committee considers appropriate to be addressed during the inquiry and in particular:

- a) The adequacy of current funding arrangements for local government,
- b) The effect of unfunded mandates on councils,
- c) The local community's expectations of service provision by local government,
- d) The optimum organisational structure to efficiently deliver better local government,
- e) The criteria by which amalgamations, boundary changes or major reorganisation of council areas should be decided,
- f) The methods by which any such changes should be implemented,
- g) The role that state government should play in any changes,
- h) The views of residents and ratepayers on amalgamation,
- i) The financial implications of amalgamations for financial assistance grants,
- j) Any other relevant issues.

Council has provided a response to the Minister for Local Government pertaining to structural reform and it is considered that Council should not present a submission to the inquiry.

The closing date for written submissions is Friday, 10 October 2003, with the Committee expected to report in December 2003.

Reports from Corporate Services

7. ORIGIN: Administration Services Unit

FILE REF: Councillors - Conferences

REPORT TITLE:

Planning Institute Australia NSW Division Conference 28 -31 October 2003

SUMMARY OF REPORT:

The Mayor has expressed an interest in attending the Planning Institute Australia NSW Division Conference to be held in Thredbo from 28 to 31 October 2003.

The conference program is detailed for Councillors information.

RECOMMENDATION:

That the Mayor be authorised to attend the Planning Institute Australia NSW Division Conference to be held in Thredbo from 28 to 31 October 2003.

Reports from Corporate Services

REPORT:

The Mayor has expressed an interest in attending the Planning Institute Australia NSW Division Conference to be held in Thredbo from 28 to 31 October 2003.

The conference program appears below for Councillors information:

DAY 1 - TUESDAY, 28 OCTOBER

3.30pm Registration

6.30pm Welcome Reception

Welcome by Richard Wallace, Mayor of the Snowy River Shire and David Broyd, President, PIA NSW Division

7.30pm Dinner at leisure

DAY 2 - WEDNESDAY, 29 OCTOBER

Stream Tourism and Planning

7.30am Breakfast Session

"Welcome to Thredbo and the conference" presentation by Murray Blackburn-Smith and Daris Olsauskas, Co-Chairs, Local Organising Committee

"Tango in trade and tourism", presentation by Tim Fischer, Former Deputy Prime Minister

"Tourism planning: the view from the top of the mountain", presentation by Tony Thirwell, Chief Executive, Tourism NSW

"The National EPBC Act - What it means for planners & planning!" presentation by George Seddon

10.00am Morning Tea

10.30am Session One / Session Two

12.30pm Lunch

1.30pm Session Three / Session Four

5.00pm Close of sessions

6.30pm Progressive Dinner

DAY 3 - THURSDAY, 30 OCTOBER

Stream Local and Regional Planning

7.30am Breakfast Session

"Planning in paradise - comprise or best practice" presentation by Ashley Blondel, Chief Executive Officer, Perisher Blue

Presentation by Andrew Cappie-Wood, Deputy Director-General, Dept of Infrastructure, Planning and Natural Resources

Reports from Corporate Services

Presentation by Dr Tony Fleming, Director-General, National Parks and Wildlife Service

"Seeking sustainable outcomes for Snowy River", presentation by Graeme Enders, NSW Premiers Department

"South-east regional service delivery", presentation Colin Steele, NSW Premiers Department

10.15am Morning Tea

10.30am Session Five / Session Six / Session Seven

12.30pm Lunch

1.30pm Session Eight / Session Nine

5.00pm Close of sessions

6.30pm Mountain Muster

DAY 4 - FRIDAY, 31 OCTOBER

Stream Insights for the Planning Profession

7.30am Breakfast Session

"Making planning more popular: ideas to revolutionise the profession", presentation by Diana Banjanin - NSW 2002 Young Planner of the Year

"Local government reform; climbing with or without oxygen?" presentation by Professor Kevin Sproats, UWS

"Planners in the witness box" presentation by Jeremy Bingham, Senior Partner, Deacons

"Are planners a scarce resource?" presentation by Sue Holliday

10.00am Morning tea

10.30am "Planning, planners and education" presentation by Nigel Flannigan, Senior Lecturer, University of Melbourne

"The planners of the future" presentation by Peter Zadeian, Department of Infrastructure, Planning and Natural Resources

"What employees want how employable are you?" presentation by Matthew McArthur, McArthur Management

12.30pm Lunch

1.30pm Planning Institute of Australia NSW Annual General Meeting

3.00pm Closing remarks by David Broyd, President, PIA NSW

3.15pm Conference close

3.30pm Experiencing Tourism

Reports from Corporate Services

FINANCIAL / RESOURCE IMPLICATIONS

| | |
|-----------------------------|---|
| Registration fee | approx \$680.00 + social options |
| Airfare to Canberra | approx \$750.00 + car hire |
| Accommodation | \$100.00 per person per night (Double / Twin share) |
| 2003/2004 Budget allocation | \$40,000.00 |
| Expenditure to date | \$3,887.00 |

Reports from Director Engineering Services

8. ORIGIN: Design Unit
FILE REF: PF5100/2690; LN 17859

REPORT TITLE:

Licence Agreement between Council and Currumbin Wildlife Sanctuary - Uki Sewage Treatment Plant - Use of Effluent to Irrigate Koala Food Trees at Lot 2 in DP 550508

SUMMARY OF REPORT:

Currumbin Wildlife Sanctuary has approached Council with a proposal to plant and harvest koala food trees on the property at Smiths Creek Road where the Uki sewerage treatment plant is to be located.

The proposal has merit as the plantation will utilise the treated effluent from the sewerage treatment plant to irrigate the plantation. The Sanctuary intends to plant endemic koala food species within 2 fenced areas on Lot 2, see the plan attached to the Agreement following the report. All species are noted koala food species that occur in the Tweed region.

The proposal will be formalised by a Licence Agreement with the Sanctuary for a term of 10 years, with 2 further options of 5 years each.

As the Sanctuary's tenure has the potential to continue for 20 years, it is necessary for Council to ensure that the species to be planted and harvested, primarily Eucalyptus species, are appropriate for the area. In that regard the Licence Agreement lists the species approved by Council to be planted as well as providing that any other species sought to be planted are to be approved by Council.

RECOMMENDATION:

That:-

1. Council approves to be bound by the terms, conditions and provisions of a Licence Agreement with the Currumbin Wildlife Sanctuary for a term of 10 years and 2 options of 5 years over Lot 2 DP 550508; and
2. All necessary documentation be endorsed under the Common Seal of Council.

Reports from Director Engineering Services

REPORT:

Currumbin Wildlife Sanctuary has approached Council with a proposal to plant and harvest koala food trees on the property at Smiths Creek Road where the Uki sewerage treatment plant is to be located.

The proposal has merit as the plantation will utilise the treated effluent from the sewerage treatment plant to irrigate the plantation. The Sanctuary intends to plant endemic koala food species within 2 fenced areas on Lot 2, see the plan attached to the Agreement following the report. All species are noted koala food species that occur in the Tweed region.

The proposal will be formalised by a Licence Agreement with the Sanctuary for a term of 10 years, with 2 further options of 5 years each.

As the Sanctuary's tenure has the potential to continue for 20 years, it is necessary for Council to ensure that the species to be planted and harvested, primarily Eucalyptus species, are appropriate for the area. In that regard the Licence Agreement lists the approved species of koala food trees as well as providing that any other species sought to be planted are to be approved by Council to ensure that no potential weed problem will occur. Eucalypts are known to hybridise easily and allowing cross hybridisation could lead to a loss of the pure species endemic to the area.

The species to be planted are listed in the attached Licence Agreement at Clause 7(b)(i).

Maintenance of the planting will be the responsibility of the Sanctuary, this will include the responsible use of an approved glyphosate based herbicide, whose use is to be restricted to the spraying of the base of young trees to facilitate their establishment and to reduce the competition of weed species.

Council will be responsible for the slashing and fencing of the area.

A copy of the Agreement, which details both the Sanctuary's and Council's obligations, follows:-

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

THIS AGREEMENT is made the _____ day of _____ 2003

BETWEEN: TWEED SHIRE COUNCIL ABN 90 178 732 496 of Tumbulgum Road, Murwillumbah in the State of New South Wales (hereinafter referred to as "the Licensor") of the first part

AND: CURRUMBIN WILDLIFE SANCTUARY ABN 93 384 397 298 of 28 Tomewin Street, Currumbin in the State of Queensland (hereinafter referred to as "the Licensee") of the other part

WHEREAS:

- A. The Licensor is the registered proprietor of Lot 2 in DP 550508 ("the Land").
- B. The Licensee is desirous of obtaining a Licence from the Licensor to use the land for the purpose of planting and harvesting endemic koala food tree species and other endemic species (hereinafter referred to as "the Licence").
- C. The Licensor has agreed to grant and the Licensee has agreed to accept the Licence upon the following terms and conditions.

THE PARTIES HEREBY AGREE AS FOLLOWS:

The Licence

- 1. The Licensor hereby grants to the Licensee a Licence to use part of the Land, to be used by the Licensee more particularly identified as the area hatched in black on the Plan annexed hereto and marked "A" (hereinafter referred to as "the Licensed Area") for the purpose contained in Clause 7 of this Agreement.

Term

- 2. (i) The Agreement starts on the date noted at the head of this Agreement (hereinafter referred to as "the Commencement Date") and continues for a term of ten (10) years.
- (ii) The Agreement contains 2 options entitling the Licensee to renew the Agreement for further successive terms of 5 years each subject to the provisions of Clause 27.

The Licence Fee

- 3. The Licensee hereby agrees to pay to the Licensor a licence fee of One Dollar (\$1.00) per annum, to be paid by yearly instalments in advance (hereinafter referred to as "the Licence Fee").

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

GST

4. (a) "GST" means any tax, impost or duty, including any Goods and Services, consumption, value added or similar tax applying on goods, services or other things, introduced by *A New Tax System (Goods and Services Tax) Act 1999* (Cth) ("the GST ACT") and associated legislation (as amended) or under legislation passed by a State or Territory Parliament (whether before or after the commencement date of this Agreement) which is charged or levied on goods, services or other things.
 - (b) It is agreed that the Licence Fee and all other moneys agreed to be paid by the Licensee to the Licensor (being the consideration expressed in this Agreement) are exclusive of GST.
 - (c) In respect of any liability of the Licensor for GST under this Agreement, including for Licence Fee or any other consideration for any other taxable supply, the Licensee covenants to pay to the Licensor, at the same time as any payment is made involving the Licensor in GST liability, the additional amount of GST, together with the payment to which it relates.
 - (d) The Licensee's liability under Clause 3(c) above is to reimburse the full amount of GST, disregarding and excluding the Licensor's entitlement to input tax credits or other credits or reimbursements for GST.
 - (e) Notwithstanding Clause 3(d) above, if the Licensor is entitled to an Input Tax Credit in relation to any amount recoverable for the Licensee under Clause 3(c), the amount payable by the Licensee shall be reduced by the amount of the Input Tax Credit which the Licensor has received or claims and is entitled to receive.
 - (f) In respect of each payment by the Licensee under Clause 3(c), the Licensor agrees to deliver to the Licensee, as required under the GST Act, tax invoices in a form which complies with the GST Act and regulations to enable the Licensee to claim Input Tax Credits in respect of the taxable supply.
5. The Licensee shall pay all rates and charges which may during the Term hereby be imposed or levied on or in respect of the Licensed Area adjusted on an area basis.
 6. If the Licensee does not punctually pay any of the amounts required to be paid by the Licensee pursuant to this Agreement, the Licensor may pay the amount due and in addition to the Licensor's other remedies, may recover the amount

paid by the Licensor as if the said amount was part of the Licence Fee required to be paid by the Licensee pursuant to Clause 2 of this Agreement.

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

Use of the Licensed Area by the Licensee

7. (a) The Licensee shall only use the Licensed Area for the purpose of planting and harvesting endemic koala food tree species and other endemic species in accordance with this agreement and not for any other purpose. The Licensee shall only use the Licensed Area for the planting and harvesting of endemic koala food tree species and other endemic species provided by the Licensee.
- (b) (i) Endemic koala food tree species will include:
- Eucalyptus tereticornis – Forest Red Gum
 - Eucalyptus microcorys - Tallowwood
 - Eucalyptus propinqua - Grey Gum
 - Eucalyptus robusta – Swamp Mahogany
 - Corymbia maculata – Spotted Gum
 - Eucalyptus resinifera subsp. Hemilampra – Red Mahogany
- (ii) The planting of any other koala food species, or other endemic species are to be approved by the Licensor
- (c) The Licensee hereby agrees and acknowledges that he shall not at any time during the Term of the Licence use the Licensed Area for any other purpose than described in this Clause.
8. (a) (i) The Licensee shall at all times during the Term ensure that within the hatched area the weeds listed in Clause 24 will not be allowed the develop to maturity whereby they are able to seed and self-propagate.
- (ii) The Licensee will notify the Licensor as and when it is necessary for the slashing and mowing of the Licensed Area by the Licensor to take place to ensure that the weed species listed in Clause 24 do not mature to seed.
- (b) The Licensee hereby agrees and acknowledges that the use of an approved glyphosate based herbicide will be restricted to the spraying of the base of young trees to facilitate the establishment of the endemic species and as necessary to reduce competition with weed species in a responsible manner and at the sole cost of the Licensee.
- (c) The Licensee hereby agrees and acknowledges that the Licensee shall, at all times during the Term of this Agreement, be solely responsible for the regular testing of soil quality and at no time during the Term of this Agreement shall the Licensor be responsible either directly or indirectly for testing of soil quality.

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

9. (a) The Licensee shall, at his own cost, conform with all Acts of Federal and State Parliaments and all regulations, by laws, ordinances or orders made thereunder and the lawful requirements of any public, municipal or other authorities so far as the same may effect or apply to the Licensee or the use of the Licensed Area by the Licensee.
- (b) This Clause specifically includes the provisions of the *Protection of the Environment Operations Act, 1997*, *Protection of the Environment Operations (General) Regulations, 1998*, *Protection of the Environment (Waste) Regulations, 1996*, *Occupational Health & Safety Act, 2000* and the *Occupational Health & Safety Regulation, 2001* with regard to the use of effluent by the Licensee in its use of the Licensed Area as per Clause 7 of this Agreement.
10. The Licensee shall, at his own cost, keep the Licensed Area in a clean, neat and tidy condition and will not permit any accumulation of rubbish on any part of the Licensed Area.
11. The Licensee shall not erect or construct any improvements on the Licensed Area (including but not limited to buildings) without first obtaining the written consent of the Licensor.
12. (a) The Licensee hereby agrees and acknowledges that no promise, representation, warranty or undertaking has been given by or on behalf of the Licensor in respect of the suitability of the Licensed Area or for the purpose contained in Clause 7 of this Agreement, including, but not limited to, the adequacy of the water supply on the Licensed Area in respect of the specific requirements, if any, of the use of the Licensed Area.
- (b) The Licensee hereby agrees and acknowledges that the Licensor has entered into this Agreement relying on the Licensee's warranty in this Clause.
13. The Licensee agrees that all persons permitted by him to be upon the Licensed Area will conduct themselves in a proper and orderly manner so as not to cause any nuisance annoyance or inconvenience to the Licensor or members of the public.
14. The Licensee shall not at any time:
 - (a) Permit any act, matter or thing on the Licensed Area which results in a nuisance, damage or disturbance to the Licensor or owners or occupiers of adjoining or neighbouring lands or buildings; or
 - (b) Carry on or permit the Licensed Area to be used for any illegal or unlawful trade, business, occupation or calling which in the reasonable opinion of the Licensor is noisome, immoral, obscene, indecent or offensive.

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

15. If the Licensee does not comply with any of his obligations pursuant to this Agreement, the Licensor may carry out such obligation and the Licensee shall pay to the Licensor, on demand, the Licensor's costs in carrying out that obligation.

Acknowledgements and Indemnities by the Licensee

16. The Licensee occupies the Licensed Area at the Licensee's sole risk and the Licensor shall be in no way responsible for any loss of property from the Licensed Area.
17. If any property which may be on the Licensed Area during the Term of this Licence shall be injured destroyed or damaged from any cause whatsoever, no part of the loss or damage occasioned thereby shall be borne by the Licensor except where the loss or damage occurs as a result of the negligence of the Licensor or of any servant, workmen, licensee, invitee, employee, agent, client, customer or visitor of the Licensor.
18. The Licensee shall and does hereby indemnify the Licensor from and against all loss and damage to all property on the Licensed Area caused by the acts omissions or negligence of the Licensee or of any servant, workmen, licensee, invitee, employee, agent, client, customer or visitor of the Licensee.
19. (i) The Licensee shall and does hereby indemnify the Licensor from and against all damages sum or sums of money costs charges expenses actions claims or demands which may be sustained and suffered or recovered or made against the Licensor by any person for any injury such person may sustain which using or entering or near any portion of the Licensed Area whether in the occupation of the Licensor or the Licensee or of any other person which such injury arises or has arisen as a result of the negligence or as a result of the creation of some dangerous thing or state or affairs by the Licensee or by any servant, workmen, employee or agent of the Licensee and whether the existence of such dangerous thing or dangerous state of affairs was or ought to have been known to the Licensor or not **EXCEPTING** where the damages sum or sums of money costs charges expenses actions claims or demands arise from any act of negligence of the Licensor or of any servant, workmen, licensee, invitee, employee, or agent of the Licensor.
20. The Licensee will effect and keep in force at the Licensee's own expense and in the joint names of the Licensor and the Licensee, a public risk policy in the amount not less than **TWO MILLION DOLLARS (\$2,000,000)** (or otherwise for such amount as the Licensor shall from time to time direct) at all times during the continuance of this Licence and the Licensee will produce to the Licensor upon demand the policy of insurance relating to such cover.

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

Acknowledgements by the Licensor

21. (a) The Licensor hereby agrees that if the Licensee pays the Licence Fee and other moneys payable and duly and punctually observes and performs the terms and conditions of this Agreement, the Licensee may peacefully enjoy the Licensed Area for the Term without the interruption or disturbance from the Licensor or any other person lawfully claiming by from or under the Licensor.

(b) The Licensor and the Licensee hereby agree and acknowledge that nothing in this Agreement shall in any way restrict or otherwise effect the Licensor's unfettered discretion as to the use of its statutory powers as a Council under the *Local Government Act* (NSW) 1993.
22. The Licensor hereby agrees and acknowledges that he shall, at his own cost, keep and maintain the fences on the Licensed Area in good order and repair to the reasonable satisfaction of the Licensee.
23. The Licensor hereby agrees and acknowledges that he shall maintain, operate and be responsible for the irrigation system and associated pipelines.
24. The Licensor shall from time to time and at all times during the Term hereof keep the Licensed Area clear and clean, by the use of mowers and slashers only, of all noxious or destructive weeds or plants and other growths deleterious to good cultivation and will especially (but without restricting the generality of this Clause) keep the Licensed Area clear and clean of those weeds known as lantana, crofton weed, burrs of all kinds, blackberry cockspur, and all weeds and plants suckers undergrowth and second growth which are now or which may during the Term hereof be proclaimed or declared noxious under or by virtual of any Act of Parliament or of the Shire Council, Local Governing Body or other competent authority having jurisdiction over the area in which the Licensed Area is situated.

Expiry or Sooner Determination of this Agreement

25. Expiry

This agreement shall expire ten (10) years from the date referred to in Clause 1 of this Agreement as the Commencement Date.

26. Sooner Determination

It is a condition of this License that, notwithstanding anything herein contained, should:

- (a) Any breach of the provisions of this Agreement be committed suffered or permitted by the Licensee; or

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

- (b) The Licence fee remain unpaid for a period of one (1) calendar month after the day on which the Licence Fee was required to be paid; or
- (c) The Licensee becomes bankrupt or enter into any scheme or arrangement with his creditors,

then the Licensor shall be entitled to immediately, or at any time thereafter, terminate this Agreement and revoke the Licence hereby granted and, notwithstanding any delay or waiver of this right (other than by express waiver in writing), any such revocation shall be without prejudice to any right of action accrued or thereafter to accrue to the Licensor in respect of any breach of any conditions hereof.

27. The Licensor and the Licensee hereby agree that this Agreement can be sooner determined by either party by the provision of three (3) months notice in writing to the other party.

Option to Renew

28. (i) **First Option for Renewal**

If the Licensee having duly observed and performed its obligations under this Agreement, desires to take a renewed Licence of the Licence Area for a further period of FIVE (5) years from the expiration of the said term of this Agreement (First Option), and gives to the Licensor not more than SIX (6) months and not fewer than THREE (3) months written notice of such desire then the Licensor at its own discretion will grant to the Licensee a renewal of this Licence for the further term of FIVE (5) years upon the same terms and conditions as are contained in this Licence with the exception of this Clause 28(i) (which shall have been deleted and Clause 28(ii) shall be renumbered 28(i). The Licence Fee payable for the further term shall have been mutually agreed between the parties prior to the expiration of Term of the Licence.

- (ii) **Second Option for Renewal**

If the Licensee, having duly observed and performed its obligations under this Agreement, desires to take a renewed Licence of the Licence Area for a further period of FIVE (5) years from the expiration of the said term of this Agreement (Second Option), and gives to the Licensor not more than SIX (6) months and not fewer than THREE (3) months written notice of such desire then the Licensor at its own discretion will grant to the Licensee a renewal of this Licence for the further term of FIVE (5) years upon the same terms and conditions as are contained in this Licence with the exception of this sub-clause (which shall have been deleted and Clause 28(ii) shall be renumbered 28(i) (which shall be deleted). The Licence Fee payable for the further term shall have been mutually agreed between the parties prior to the expiration of Term of the Licence.

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

Effect of Expiry or Sooner Determination

29. The Licensee hereby agrees that upon the expiry or sooner determination of this Agreement, the Licensee shall promptly and peaceably remove all the Licensee's property, effects from the Licensed Area and in default thereof the Licensor shall be entitled to remove the same to any convenient place for storage and all costs charges and expenses of removal and storage shall be paid by the Licensee. Anything the Licensor shall do or purport to do in good faith under this Clause shall be deemed to be done with the full authority of and as agent for and at the risk of, in all respects, the Licensee.

No Assignment

30. This Licence is personal to the Licensee and the Licensee shall not assign this Licence.

Costs

31. All legal fees and disbursements arising from and incidental to the preparation of this Agreement including but not limited to the Licensor's costs in preparation of this Agreement shall be borne by the Licensee.

No Tenancy Conferred

32. The Licensee shall use the Licensed Area for the Term as Licensee only of the Licensor and not as a Tenant and the relationship between the Licensor and the Licensee created by virtue of such use and by this agreement shall be that of Licensor and Licensee only and not that of Landlord and Tenant.

No Estate or Interest in Land Conferred

33. This Agreement does not confer on the Licensee any estate or interest in the Licensed Area and it is agreed and declared that the control and management thereof shall at all times remain vested in the Licensor and in particular this agreement shall not operate as a demise of the Licensed Area and in the construction and interpretation of this Agreement this Clause shall be paramount and the other Clauses hereof shall be construed so as not to be inconsistent with this Clause. In the event of and to the extent that any other Clause or Clauses hereof cannot be construed so as to avoid any such inconsistency, such other Clause or Clauses shall to such extent be void and of no effect but otherwise this Agreement shall remain in full force and effect.

No Employment or Agency

34. The Licensee shall not at any time either during the Term of this Licence or at any time after its expiry or sooner determination:
- (a) hold himself out or allow himself to be held out as being an officer or employee of the Licensor; or

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

- (b) hold himself out or allow himself to be held out as having authority to pledge the credits of the Licensor.

Arbitration

- 35. Any disagreement hereunder this Agreement shall be settled in accordance with the provisions of the *Commercial Arbitration Act* (1984) NSW.

The Law

- 36. This Agreement is governed by New South Wales Law.

Notice

- 37. (a) Any notice required to be given under the terms of the Agreement shall be in writing.
- (b) Any notice required by this Agreement to be served on the Licensee shall be served on the Licensee personally or by prepaid post to the above address of the Licensee or by being left at that above address in a post box. Where it is sent by prepaid post such notice shall be deemed to be serviced on the second day after posting.

Severance

- 38. In the event that one or more of the Clauses of this Agreement shall be found to be null and void and/or unlawful, that Clause or Clauses shall be severed and will not thereby effect the validity and enforceability of the remaining Clauses.

Interpretation

- 39. The following rules of interpretation apply unless the context requires otherwise:
 - (a) The singular includes the plural and conversely;
 - (b) A gender includes all genders;
 - (c) A reference to a right or obligation of any party comprising two or more people confers that right, or imposes that obligation, on each of them individually and both (or all) of them together;
 - (d) A reference to legislation includes an amendment of or substitution for it and a regulation or statutory instrument issued under it;
 - (e) Unless stated otherwise, one word or provision does not limit the effect of another;
 - (f) Reference to the whole includes part;

Reports from Director Engineering Services

LICENCE AGREEMENT MADE BETWEEN TWEED SHIRE COUNCIL AS LICENSOR OF THE FIRST PART AND CURRUMBIN WILDLIFE SANCTUARY AS LICENSEE OF THE OTHER PART

- (g) All obligations are taken to be required to be performed duly and punctually;
- (h) Headings are for convenience only and do not affect interpretation.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands this day and year hereinbefore written.

THE COMMON SEAL of TWEED SHIRE)
 COUNCIL was hereunto affixed on)
 pursuant to a resolution made a meeting held)
 on 2003)
 in the presence of:

.....
 Mayor

.....
 General Manager

THE COMMON SEAL of CURRUMBIN)
 WILDLIFE SANCTUARY was hereby affixed)
 pursuant to its Articles of Association)
 in the presence of:)

.....
 Director

.....
 Director/Secretary

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Reports from Director Engineering Services

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Reports from Director Engineering Services

9. ORIGIN: Design Unit

FILE REF: DA1960/576 Pt1; Reservoirs - Duranbah; LN41881

REPORT TITLE:

Acquisition of Land for the Purposes of a Reservoir at Duranbah

SUMMARY OF REPORT:

At a meeting held on 20 August, 2003 it was resolved by Council to acquire the land necessary for the construction of 2 x 7.5ML reservoirs from Bruttfan Pty Ltd, the registered proprietors of Lot 14 in DP 869748 at Duranbah.

Prior to entering into contract documentation it is necessary to obtain a resolution that all necessary documentation for the acquisition are affixed with the Common Seal of Council, and this report has been prepared for this purpose. Further it is necessary to resolve that the purchase of the land is by private treaty.

Following completion of the acquisition the land should be classified as "Operational" pursuant to S25 of the Local Government Act, 1993.

RECOMMENDATION:

That:-

1. Council approves the purchase of part of Lot 14 in DP 869748 from Bruttfan Pty Ltd by private treaty; and
2. The land be classified as Operational pursuant to S25 of the Local Government Act, 1993.
3. All necessary documentation be endorsed under the Common Seal of Tweed Shire Council.

Reports from Director Engineering Services

REPORT:

As per summary.

Reports from Director Engineering Services

10. ORIGIN: Water Unit

FILE REF: Oxley River; Riparian Projects; LandCare

REPORT TITLE:

Lower Oxley River Bank Stabilisation Project - Water Unit Contribution

SUMMARY OF REPORT:

The Murwillumbah Office of the NSW Department of Infrastructure Planning and Natural Resources, in association with the Tweed River Committee have developed a project bid under Federal Governments Natural Heritage Trust which seeks to address bank erosion in the Lower Oxley River. This project has been submitted to the Northern Rivers Catchment Management Board for appraisal under the current round of regional grant allocations. The Tweed River Committee has resolved to support this project through the contribution of \$5000 (TRC minutes 11 June 2003). The Tweed River Committee (TRC) have also requested that Council approve \$30,000 from the Water Budget (TRC minutes 11 June 2003) to support this project in view of the significant contribution it will make to the long term protection of Tweed Shires Water Supply.

RECOMMENDATION:

That Council approves the allocation of \$30,000 from the Water Budget towards the Lower Oxley River Riparian Rehabilitation project.

Reports from Director Engineering Services

REPORT:

Introduction:

The Murwillumbah Office of the NSW Department of Infrastructure Planning and Natural Resources, in association with the Tweed River Committee have developed a project bid under Federal Governments Natural Heritage Trust which seeks to address bank erosion in the Lower Oxley River. This project has been submitted to the Northern Rivers Catchment Management Board for appraisal under the current round of regional grant allocations. The Tweed River Committee has resolved to support this project through the contribution of \$5000 (TRC minutes 11 June 2003). The Tweed River Committee have also requested that Council approve \$30,000 from the Water Budget (TRC minutes 11 June 2003) to support this project in view of the significant contribution it will make to the long term protection of Tweed Shire's Water Supply.

Discussion:

The Oxley River has been identified in the Northern Rivers Catchment Blueprint as a priority watercourse on the basis of its high conservation values, high ecosystem recovery potential and its contribution to the Tweed Shires Drinking water supply. However, unrestricted cattle access, a lack of natural riparian vegetation and severe weed infestations are recognised as significant impacts on water quality in the Oxley and Tweed Rivers, in particular on the quality of potable water extracted from upstream of the Bray Park Weir.

The area in which this project will be implemented is the lower reach of the Oxley, from the Eungella Bridge to its confluence with the Tweed, including both banks. This reach of the river (approximately 16 km of stream bank) has experienced some of the highest levels of erosion in the catchment, with a conservative estimate from Department of Infrastructure Planning and Natural Resources (DIPNR) suggesting approximately 3500 m³ of sediment has been deposited into the system over the past 10 years.

The implementation of this project will involve the employment of a person for 12 months to work closely with the community to develop a stream bank management plan. It is anticipated that implementation of the plan would involve fencing of at least 8 km of river bank as well as minor revegetation, weed control, stabilisation works and provision of alternative cattle water supplies. Preliminary DIPNR consultation with rural landholders has revealed a high level of community acceptance and support for this project, subject to ongoing negotiation and a cooperative implementation regime.

The financial breakdown of the project is as follows:

| | |
|--|-----------|
| Federal Government Natural Heritage Trust Bid: | \$48, 500 |
| Tweed River Committee: | \$5, 000 |
| Tweed Shire Water Unit: | \$30, 000 |
| Total: | \$83, 500 |

This project will have obvious benefits in terms of river conservation, however the key benefit to Council and the Community, and the rationale for Water fund investment, is in the improvement of downstream water quality.

Reports from Director Engineering Services

The Oxley contributes approximately 50% of the regions potable water supply in an average year. Currently it costs \$350, 000 per year to remove turbidity from raw water extracted from the Bray Park Weir Pool. There will be direct costs savings to Council and the community related to at source control of sediment input through the cessation of bank erosion. Furthermore, reduction in nutrient inputs through the exclusion of sediment, filtering of agricultural runoff and prevention of direct faecal contamination of the river by cattle will significantly reduce the potential for algal to bloom.

The Bray Park Weir Management Plan prepared for Council by Patterson Britton and Partners (May 2003) presents strategies to prevent the risk of pathogen input (Giardia and Cryptosporidium) to the Tweed Water Supply. The report recommends the following three approaches:-

- Denying or discouraging cattle from having direct access to the weir pool;
- Creating wetlands to trap cysts and nutrients in runoff from adjacent land; and
- Implementation and maintenance of a vegetated riparian zone along the banks of the weir pool.

It is clear that the proposed outcomes of the Lower Oxley River Bank Stabilisation Project are consistent with, and complimentary to the Bray Park Weir Plan of Management.

Conclusion:

The contribution of \$30, 000 of Water Unit funds to the Natural Heritage Trust application is a cost effective means of implementing strategies required to protect Tweeds potable water supply, and a valuable opportunity to achieve these gains on lands under private ownership.

In the current rural economic climate, individual landholders do not have the resources to protect and enhance their riverbanks. Without this action, river banks will continue to degrade and affect the broader community, ecologically and economically. The implementation of this project will result in a benefit to local rural landholders, the environment, and will also contribute a downstream positive effect on most of the population of Tweed Shire.

Reports from Director Engineering Services

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Reports from Director Engineering Services

11. ORIGIN: Water Unit

FILE REF: Clarrie Hall Dam Spillway Upgrade

REPORT TITLE:

Clarrie Hall Dam Spillway Upgrade Subsidy

SUMMARY OF REPORT:

The Minister for Energy and Utilities, Mr Frank Sartor MP has approved interim financial assistance from the Country Towns Water Supply and Sewerage (CTWS&S) Program of up to \$105,000 (interim 50% of \$210,000) as requested to undertake pre-construction activities associated in upgrading Clarrie Hall Dam Spillway.

RECOMMENDATION:

That Council:-

1. (a) Accepts the funding offer of \$105,000 from the Minister for Energy and Utilities to undertake pre-construction activities associated in upgrading Clarrie Hall Dam Spillway.
- (b) Votes the expenditure.
2. Executes any documentation under the Common Seal of Council.

Reports from Director Engineering Services

REPORT:

A letter was received from the Minister for Energy and Utilities, Mr Frank Sartor MP advising approval of financial assistance for concept and design activities for Clarrie Hall Dam Spillway upgrading. A copy of the letter follows at the end of this report.

Clarrie Hall Dam Spillway requires upgrading to ensure that it has adequate capacity to enable the probable maximum flood to be passed over the spillway without jeopardising the integrity of the dam wall. The spillway upgrade has been identified by the Dam Safety Committee as being required and has been placed on the 5 – 10 year capital works priority list for dam augmentations across New South Wales.

The estimated cost for undertaking the activities associated with the spillway upgrading is \$210,000. Under the Country Towns Water Supply and Sewerage (CTWS&S) Program administrated by the Ministry of Energy and Utilities (MEU), the Minister has provided approval for financial assistance at a subsidy rate of 50% (\$105,000). Council will also undertake the concept design for raising the dam wall in association with the spillway upgrade design.

Funding is subject to MEU's standard conditions for using Government funding and on acceptance from Council must be signed and sealed prior to returning to MEU.

It is therefore recommended that Council accepts the funding assistance and duly signs and seals the standard conditions as provided.

Reports from Director Engineering Services



NEW SOUTH WALES
MINISTER FOR ENERGY AND UTILITIES
MINISTER FOR SCIENCE AND MEDICAL RESEARCH
MINISTER ASSISTING THE MINISTER FOR HEALTH (CANCER)
MINISTER ASSISTING THE PREMIER ON THE ARTS

| | | |
|-------------|---------|--------------|
| TWSP | FILE NO | CLARRIE HALL |
| DOCUMENT No | | SPILLWAY |
| RECD | | 2003 |
| BOOK No | | OXENHAM D |
| ASSIGNED TO | | |
| HARD COPY | | |

MEU Ref 03/00452

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

30 JUL 2003

Dear Dr Griffin

I refer to Tweed Shire Council's letter to the then Minister for Land and Water Conservation requesting government financial assistance for Clarrie Hall Dam Spillway Upgrading

I have approved additional interim financial assistance from the Country Towns Water Supply and Sewerage (CTWS&S) Program of \$105,000 (interim 50 percent of \$210,000) for concept and design activities for Clarrie Hall Dam Spillway Upgrading This is in addition to \$33,980 previously granted for investigations and brings the total amount of government financial assistance to this project to \$138,980 An estimate sheet is attached for Council's information.

The standard conditions that will apply to the financial assistance are also attached in duplicate Council is requested to return a signed original of these conditions to Charles Essery, A/ Executive Director, Water Policy and Reform, Ministry of Energy and Utilities (Level 3 Macquarie Tower, 10 Valentine Avenue, Parramatta, NSW 2150).

Financial assistance under the CTWS&S Program requires Local Water Utilities to implement best practice water supply, sewerage, trade waste pricing and developer charges. I would like to remind Tweed Shire Council that this offer is conditional upon Council meeting this requirement

Please contact Mr Chris Hennessy in the North Coast office of the Ministry of Energy and Utilities on (02) 6627 0113 regarding arrangements for commencement of the work.

Yours sincerely

Frank Sartor

Level 31, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000
Telephone (02) 9228 4700 Facsimile (02) 9228 4711 Email office@sartor.minister.nsw.gov.au

Reports from Director Engineering Services

**W715 - CLARRIE HALL DAM SPILLWAY UPGRADING WORK
ESTIMATE**

| Items | DESCRIPTION | Estimate \$ | Subsidy Rate | Govt. Subsidy \$ |
|-------|---|------------------|-----------------|------------------------|
| | Previous Offer - | | | |
| 1 | INVESTIGATION ACTIVITIES including: Preliminary Investigations, Hydrology and PMF modelling, Options Study. | \$67,960 | fixed 50% | \$33,980 |
| | This Offer -- | | | |
| 2 | CONCEPT & DESIGN ACTIVITIES | | | |
| 2.1 | Conceptual design | 60,000 | | |
| 2.2 | Detailed design | 95,000 | | |
| 2.3 | Documentation | 20,000 | | |
| 2.4 | Project Management | 15,000 | | |
| 2.5 | Contingency | 20,000 | | |
| | SUB-TOTAL | \$210,000 | Interim 50% | \$105,000 |
| | TOTAL | \$277,960 | | \$138,980 |

Reports from Director Engineering Services

MINISTRY OF ENERGY AND UTILITIES
Water Policy and Reform

**STANDARD CONDITIONS APPLYING TO PROVISION OF
PRECONSTRUCTION ACTIVITIES FOR WATER SUPPLY AND
SEWERAGE SCHEMES USING GOVERNMENT FUNDS**

SCHEME: CLARRIE HALL DAM SPILLWAY UPGRADING

COUNCIL: TWEED SHIRE COUNCIL

1. These conditions commence on the date of signature by the council
2. In these conditions "preconstruction costs" means the cost of any project management, project development and design authorised by Ministry of Energy and Utilities to be carried out in relation to the scheme.
3. The Minister for Energy and Utilities agrees to pay an interim 50 percent of the authorised preconstruction costs.
4. The council agrees to pay the balance of the authorised preconstruction costs
5. The council will pay any moneys required to be paid by it under these conditions in advance and in such manner as directed by Ministry of Energy and Utilities from time to time
6. Preconstruction costs incurred by the council must be supported by duly certified expenditure certificates
7. These conditions relate to preconstruction costs only and in no way imply any obligation on council to proceed to construct, or design and construct, (if design is not included in the authorised work), or on the Minister to subsidise construction, or design and construction.
8. The council acknowledges that should it receive a further grant from the Minister in relation to the construction of the scheme then the conditions applying to that grant may vary, terminate or supersede these conditions.
9. The Minister may elect for the preconstruction activities to be undertaken in stages
10. A project manager shall be appointed to manage the works and services covered by this agreement which will be provided in accordance with an accredited quality system to ANZ/NZS ISO 9001 or equivalent

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Reports from Director Engineering Services

...ter shall nominate the interim rate of subsidy upon acceptance of application for subsidy.

...ter may alter the interim rate of subsidy at any time during the duration of the work by agreement with the council

...ter shall determine the actual rate of subsidy upon certification of the final

...etermining the Minister's interim payment and payment towards the final cost the Minister may take into account the relevant circumstances at the date of certification

...final cost is certified, the Minister's payment to that cost shall be as follows:

$$\text{Minister's Payment} = \text{Final cost} \times \text{Actual Rate of Subsidy}$$

...final cost is certified, the council shall pay towards the cost of the work an amount equal to the final cost less:

- ...any payment by the Minister pursuant to Condition 11; and
- ...any payments made by the council pursuant to Condition 4.

"Circumstances" means the policy of the government in relation to the provision of council works, the population to be served by the scheme and any other circumstances which may apply with these conditions.

...means the works the subject of the application and approved by the council and the works set out in the estimate attached.

...means council's overall system providing the water or sewerage service to a particular area managed as a single financial entity and of which the work will be part

Seal of Tweed Shire Council
...to be affixed on the

... day

... 2003

Mayor

General Manager

Reports from Director Engineering Services

MINISTRY OF ENERGY AND UTILITIES
Water Policy and Reform

**STANDARD CONDITIONS APPLYING TO PROVISION OF
PRECONSTRUCTION ACTIVITIES FOR WATER SUPPLY AND
SEWERAGE SCHEMES USING GOVERNMENT FUNDS**

SCHEME: CLARRIE HALL DAM SPILLWAY UPGRADING

COUNCIL: TWEED SHIRE COUNCIL

1. These conditions commence on the date of signature by the council.
2. In these conditions "preconstruction costs" means the cost of any project management, project development and design authorised by Ministry of Energy and Utilities to be carried out in relation to the scheme.
3. The Minister for Energy and Utilities agrees to pay an interim 50 percent of the authorised preconstruction costs.
4. The council agrees to pay the balance of the authorised preconstruction costs.
5. The council will pay any moneys required to be paid by it under these conditions in advance and in such manner as directed by Ministry of Energy and Utilities from time to time
6. Preconstruction costs incurred by the council must be supported by duly certified expenditure certificates
7. These conditions relate to preconstruction costs only and in no way imply any obligation on council to proceed to construct, or design and construct, (if design is not included in the authorised work), or on the Minister to subsidise construction, or design and construction
8. The council acknowledges that should it receive a further grant from the Minister in relation to the construction of the scheme then the conditions applying to that grant may vary, terminate or supersede these conditions.
9. The Minister may elect for the preconstruction activities to be undertaken in stages.
10. A project manager shall be appointed to manage the works and services covered by this agreement which will be provided in accordance with an accredited quality system to ANZ/NZS ISO 9001 or equivalent

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Reports from Director Engineering Services

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ter shall determine the actual rate of subsidy upon certification of the final

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final cost is certified, the Minister's payment to that cost shall be as follows

$$\text{Minister's Payment} = \text{Final cost} \times \text{Actual Rate of Subsidy.}$$

final cost is certified, the council shall pay towards the cost of the work equal to the final cost less:

- any payment by the Minister pursuant to Condition 11; and
- any payments made by the council pursuant to Condition 4.

"Circumstances" means the policy of the government in relation to the supply of council works, the population to be served by the scheme and any other circumstances which may apply with these conditions

means the works the subject of the application and approved by the council and the works set out in the estimate attached.

means council's overall system providing the water or sewerage service managed as a single financial entity and of which the work will be part

Seal of Tweed Shire
to be affixed on the

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Mayor

General Manager

Reports from Director Engineering Services

12. ORIGIN: Water Unit

FILE REF: EC2003-07; Consultancy; Water Headworks - Weirs - Bray Park

REPORT TITLE:

Bray Park Water Treatment Plant Augmentation Options

SUMMARY OF REPORT:

Bray Park Water Treatment Plant requires augmenting to cater for the projected population increases throughout the water supply district. The next stage of augmentation for the treatment plant will increase capacity from 50 ML/d to 100 ML/d providing capacity for a population of 125,000.

Hunter Water Australia was engaged to undertake the concept and detailed design of the plant upgrade. As part of the work, a number of alternative process systems have been considered including dissolved air flotation and membrane filtration systems.

This report summaries progress made to date and outlines the proposed procurement strategies for the project.

Project cost is in the order of \$30M with opportunities for staging to be pursued. The target commissioning date for the new plant is December 2006. In order to provide a cost effective solution, it is proposed that tenders be let for the supply of submerged membranes as the first stage with the treatment plant designed around the propriety system selected.

RECOMMENDATION:

That Council calls tenders for the supply of a submerged membrane filtration system for the augmentation of Bray Park Water Filtration Plant from 50 ML/d to 100 ML/d.

Reports from Director Engineering Services

REPORT:

Bray Park Water Treatment Plant requires augmenting to cater for the projected population increases throughout the water supply district. The next stage of augmentation for the treatment plant will increase capacity from 50 ML/d to 100 ML/d.

Hunter Water Australia was engaged to undertake the concept and detailed design of the plant upgrade. As part of the work, a number of alternative process systems have been considered including dissolved air flotation and submerged membrane micro-filtration systems.

Process options developed for evaluation were:-

1. Dissolved Air Flotation (either construction of new process tanks or retrofitting of existing tanks and construction of additional filter cells). (*Dissolved air flotation is the process of introducing microscopic air bubbles into the feed water to encapsulate particles. The particles become buoyant and float to the surface where they are removed from the system as sludge.*)
2. Submerged Membrane Filtration (Retrofitting micro-filtration into either the existing sedimentation tanks or filter cells)

The options were evaluated against non-financial criteria and financial costs to provide a ranking for the options. The non-financial criterion was given a 70% weighting in the ranking system.

The following non-financial criteria was used to assess the options:-

| | |
|------------------------------------|--|
| • Water quality risk | <i>Ability of the process to handle variable raw water quality</i> |
| • Future Water Quality Compliance | <i>Ability to meet more stringent drinking water standards</i> |
| • Technical Risk | <i>Proven treatment processes utilised</i> |
| • Commercial Risk | <i>Availability of sufficient competition</i> |
| • Operability / Process Complexity | <i>Ease of operating augmented system</i> |
| • Upgrade Logistics | <i>Degree of difficulty in upgrading treatment plant</i> |
| • Future Expansion | <i>Ability to be further expanded to cater for increased demands</i> |
| • Community Impacts | <i>Impact of upgrade on nearby residents</i> |

A detailed capital and operating cost estimate was developed for the options and a net present value calculation was performed over a 20-year period to determine whole of life costs. The cost estimates were created from a ground up approach based on a preliminary concept that was developed for each option. This has allowed a reasonable estimate of the costs to be calculated and to allow a fair comparison of total costs.

The estimated capital cost for the various options ranges from \$27.8 M to \$32.3 M.

Reports from Director Engineering Services

The overall scores and ranking of the process options is shown below:

| | Weighting | Dissolved Flotation Options | | Submerged Membrane Options | |
|----------------------|------------|-----------------------------|-------------|----------------------------|-------------|
| | | Raw | Weighted | Raw | Weighted |
| Non Financial | 70 | 70.7 | 49.5 | 85.6 | 59.9 |
| Financial | 30 | 61 | 18.3 | 43 | 13.0 |
| Total | 100 | | 67.8 | | 72.9 |
| Ranking | | | 2 | | 1 |

The option that ranked most favourable was to install membrane filtration within the existing process tanks at the treatment plant. This is not the least cost option. However, there are significant non-financial benefits with the system that will provide a better long-term solution for upgrading the plant. This includes:-

- Allows full range of raw water quality to be effectively treated
- Treated water quality will exceed current guideline values and may defer additional future water quality upgrades should water quality guidelines tighten in future
- Membranes provide most efficient removal for particles, Giardia and Cryptosporidium
- Augmentation can be staged to match demands deferring capital costs
- Provides the least impact on nearby residents both during construction and ongoing operations

This option will now be further evaluated and detailed into a completed concept design.

To allow membrane filtration suppliers to provide cost competitive tenders, an alternative procurement strategy has been suggested for the delivery of the project. This will include the procurement of the membrane filtration system as the first step. Detailed design will then be tailored to fit in with the selected membrane system.

Tenders will be called for the design and supply of submerged membrane filtration systems. Following evaluation of the tenderers, a final decision will be made to continue with submerged membrane systems or to change to a more conventional process option. The estimated cost of this component of the project is \$10M.

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13. ORIGIN: Design Unit

FILE REF: GR3/12/9 Pt1; Road Closures - Mooball

REPORT TITLE:

Application to Close & Purchase Road Reserve - Cudgera Creek Road Burringbar, Adjacent to Lot 1 DP 379905

SUMMARY OF REPORT:

An application has been received from the landowners, Mr & Mrs S Grace, of Lot 1 DP 379905, being the property on the corner of Tweed Valley Way and Cudgera Creek Road.

When Cudgera Creek Road was resurfaced, driveways of the properties fronting the road were improved. The improved access to the subject land was constructed within the road reserve at this time and the applicants are seeking to formalise the access and retaining wall constructed alongside the driveway.

RECOMMENDATION:

That:-

1. Council approves the closure of part of the road reserve of Cudgera Creek Road, Burringbar;
2. The applicant bears all the survey and legal costs and purchases the subject land as determined in value by the State Valuation Office;
3. The title of the closed road be consolidated with the adjacent land;
4. Easements be created over public authority reticulation services, if any; and
5. All necessary documentation be executed under Common Seal of Council.

Reports from Director Engineering Services

REPORT:

An application has been received from the landowners, Mr & Mrs S Grace, of Lot 1 DP 379905, being the property on the corner of Tweed Valley Way and Cudgera Creek Road.

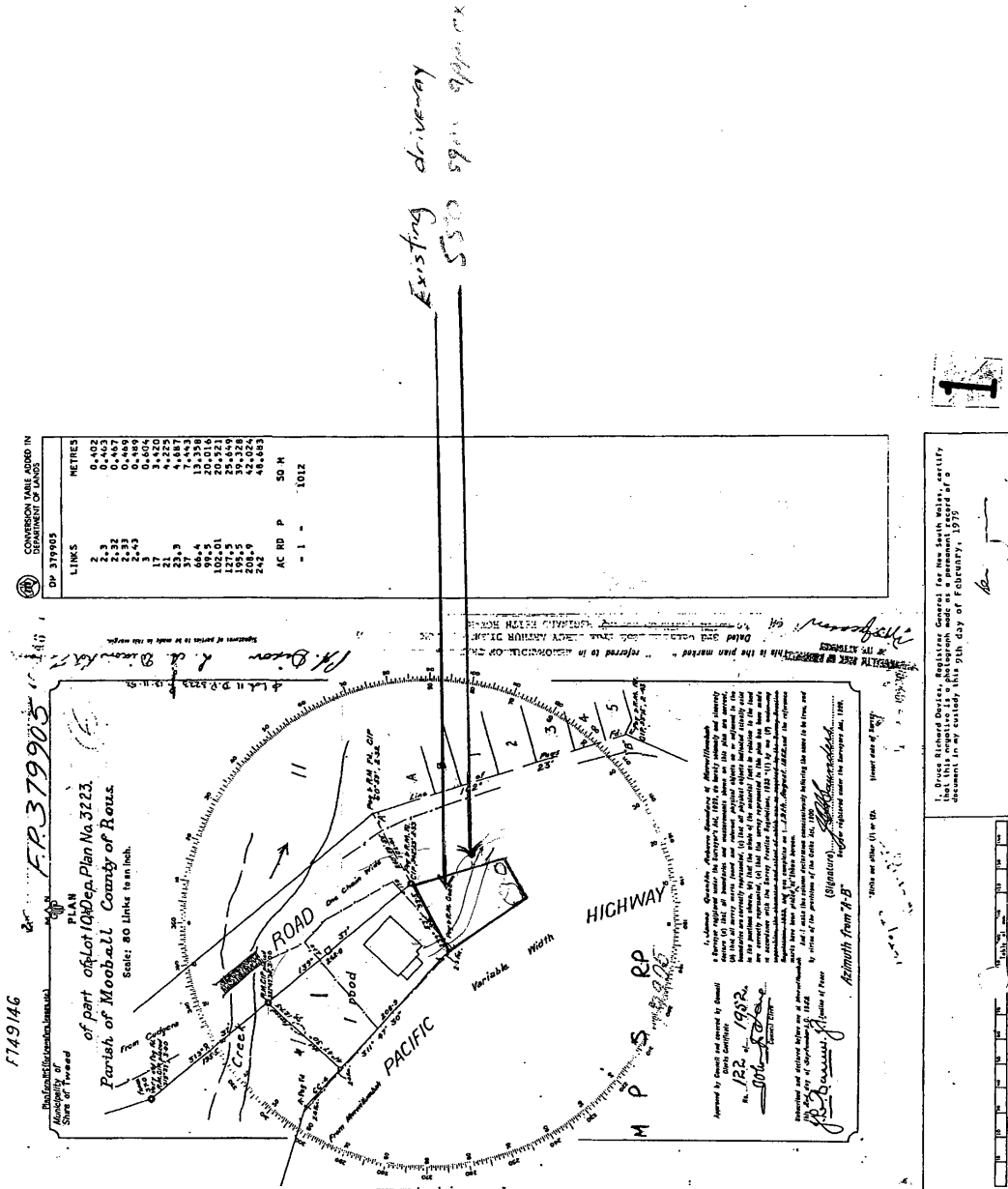
When Cudgera Creek Road was resurfaced, driveways of the properties fronting the road were improved. The improved access to the subject land was constructed within the road reserve at this time and the applicants are seeking to formalise the access and retaining wall constructed alongside the driveway.

The applicants are seeking to close an approximate area of 550m² of road reserve to consolidate it with Lot 1 and to preserve some trees within this area which were planted by parents of the applicants. The applicants and parents of the applicants, (previous owners) have maintained the area for many years.

There are no Council services within the area, nor any stands of marketable timber or significant flora. The area forms only part of the large road reserve at this location.

Please see the following copy of DP 379905 showing an approximate area of closure sought by the applicants, together with the existing driveway and trees sought to be included.

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14. ORIGIN: Design Unit

FILE REF: R3740 Pt2; North Arm Road; R3780 Pt4; Numinbah Road

REPORT TITLE:

Renaming of Roads - North Arm Road and Numinbah Road at Boatharbour Bridge, North Arm

SUMMARY OF REPORT:

At a meeting held on 6 August, 2003 it was resolved by Council to advertise its intentions to re-name part of North Arm Rd to *Numinbah Road* and part of Numinbah Road to *Nobbys Creek Road*.

An advertisement was published in the Tweed Link on 19 August, 2003 seeking written submissions or objections to the re-naming, no submissions or objections have been received.

RECOMMENDATION:

That:-

1. Council adopts the renaming of the public roads as follows:-
 - (a) Council adopts the name "***Numinbah Road***" in lieu of the current name of "North Arm Road" for the 190 metre strip of road between the new Boatharbour Bridge and Numinbah Road;
 - (b) Council adopts the name of "***Nobbys Creek Road***" in lieu of that part of Numinbah Road from the new Boatharbour Bridge extending to Nobbys Creek Road, North Arm;
2. The renaming of the public roads be gazetted under the provisions of the Roads (General) Regulation, 1994 and the Roads Act, 1993.

Reports from Director Engineering Services

REPORT:

As per summary

Reports from Director Engineering Services

15. ORIGIN: Works Unit

FILE REF: Roads - Repair Program, Maintenance Program; Tweed Valley Way

REPORT TITLE:

Asphalt Overlay Program 2003 - 2004

SUMMARY OF REPORT:

Each year Council provides funding for asphalt overlays of urban streets. This year the program is extended due to the additional funding received from the Roads & Traffic Authority for improvements and restoration of Tweed Valley Way. The tender for the overlay program is included in the confidential business paper for this meeting. The main report details what streets are included in this year's program.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Engineering Services

REPORT:

Each year Council provides funding for asphalt overlays of urban streets. This year the program is extended due to the additional funding received from the Roads & Traffic Authority for improvements and restoration of Tweed Valley Way. The tender for the overlay program is included in the confidential business paper for this meeting.

Below is a list of the roads to receive attention this financial year:-

Urban Resurfacing Asphalt Overlay Program 2003/04

| 1. Urban Rehabilitation Program | | | | |
|---------------------------------|-------------|------------------------|------------|---|
| (i) Murwillumbah AC Overlays | | | | |
| Road Name | Length (Km) | Area (m ²) | Tonnes (t) | Notes |
| Frangela Dr | 0.34 | 3320 | 159 | Byangum Rd to Kendon Ave K & G repairs required |
| North Arm Rd | 0.26 | 2810 | 202 | Byangum Rd to Park Ave |
| North Arm Rd | 0.42 | 3150 | 227 | Park Ave to Golden Links Dr |
| North Arm Rd | 0.59 | 6360 | 458 | Golden Links Dr to Castlefield Dr |
| Total: | 1.61 | 15640 | 1050 | |

| (ii) Tweed AC Overlays | | | | |
|------------------------|-------------|------------------------|------------|--|
| Road Name | Length (Km) | Area (m ²) | Tonnes (t) | Notes |
| Thomson St | 0.40 | 3960 | 190 | House No. 16 to cul-de-sac. Dig out patch required |
| Leeward Tce | 0.69 | 5380 | 258 | The quarterdeck to Qld |
| The Anchorage | 0.26 | 2130 | 102 | The Quarterdeck to cul-de-sac |
| The Jib | 0.11 | 970 | 47 | The Quarterdeck to cul-de-sac |
| Kennedy Dr access | 0.11 | 480 | 23 | Kennedy Dr / Norman St to end road |
| Total: | 1.57 | 12920 | 620 | |

| (iii) Tweed Coast AC Overlays | | | | |
|-------------------------------|-------------|------------------------|------------|---|
| Road Name | Length (Km) | Area (m ²) | Tonnes (t) | Notes |
| Marine Pde | 0.54 | 5000 | 240 | No. 162 to Turnock St Patching opp Bowls Club req'd |
| Total: | 0.54 | 5000 | 240 | |

Reports from Director Engineering Services

| (iv) Banora Point AC Overlays | | | | |
|--------------------------------------|--------------------|-----------------------------|-------------------|------------------------------------|
| Road Name | Length (Km) | Area (m²) | Tonnes (t) | Notes |
| Anthony Ave | 0.20 | 1640 | 79 | House No. 19 to Raward Ave |
| Hillcrest Ave | 0.10 | 660 | 32 | Ocean Ave to Lakeview Pde |
| Hillcrest Ave | 0.25 | 1500 | 72 | Lakeview Pde to Ridgeway Cr |
| Seaview St | 0.23 | 1860 | 89 | Hillcrest Ave east to House No. 24 |
| Seaview St | 0.22 | 1190 | 57 | House No. 24 to Ocean Ave |
| Ocean Ave | 0.18 | 1360 | 65 | Seaview St to Hillcrest Ave |
| Fraser Dr | 0.15 | 1200 | 86 | MR541 to Parkes Ln |
| Total: | 1.33 | 9410 | 480 | |

| (v) Terranora AC Overlays | | | | |
|----------------------------------|--------------------|-----------------------------|-------------------|---------------------|
| Road Name | Length (Km) | Area (m²) | Tonnes (t) | Notes |
| Dobbys Cr | 0.32 | 1470 | 71 | MR541 to cul-de-sac |
| Total: | 0.32 | 1470 | 70 | |

| | | | | |
|----------------------------------|-------------|--------------|-------------|----------------------------|
| Total Urban Rehab Program | 5.37 | 44440 | 2460 | (Budget = \$249900) |
|----------------------------------|-------------|--------------|-------------|----------------------------|

2. Maintenance Funded

(i) Carparks AC Overlays

| Road Name | Length (Km) | Area (m²) | Tonnes (t) | Notes |
|-----------------------|--------------------|-----------------------------|-------------------|--------------------------------|
| Wharf St parking lane | 0.43 | 1620 | 117 | |
| Wollumbin St | 0.05 | 1370 | 66 | Adjacent to gymnasium building |
| Total: | | 2290 | 180 | |

(ii) Regional Roads AC Overlays

| Road Name | Length (Km) | Area (m²) | Tonnes (t) | Notes |
|------------------|--------------------|-----------------------------|-------------------|--|
| Tweed Coast Rd | 0.15 | 1940 | 140 | Past houses north of Depot Rd |
| Wharf St | 0.78 | 6900 | 497 | Recreation St to Florence St - Milling of exist AC req'd |
| Total: | 0.93 | 8840 | 640 | |

Reports from Director Engineering Services

3. Tweed Valley Way Handover Funded

| Road Name | Length (Km) | Area (m ²) | Tonnes (t) | Notes |
|------------------|-------------|------------------------|------------|---|
| Tweed Valley Way | 0.10 | 900 | 108 | Nominal 20mm corrector course, then 30mm overlay |
| Tweed Valley Way | 0.32 | 5540 | 532 | Bituthene strips req'd |
| Tweed Valley Way | 0.58 | 9260 | 889 | Allows for 30mm milling off exist AC |
| Tweed Valley Way | 0.42 | 4540 | 436 | Allows for 30mm milling off exist AC. Delete bridge deck. |
| Total: | 1.42 | 20240 | 1960 | |

4. Tweed road Contribution Plan S.94 Funded

(iii) Terranora AC Overlays

| Road Name | Length (Km) | Area (m ²) | Tonnes (t) | Notes |
|-----------|-------------|------------------------|------------|----------------------------|
| Fraser Dr | 0.92 | 7820 | 563 | Amaroo Dr to Botanical Cct |
| Total: | 0.92 | 7820 | 560 | |

| | | | | |
|---------------------------------|-------------|--------------|-------------|--|
| Total AC Overlay Program | 8.64 | 84330 | 5800 | |
|---------------------------------|-------------|--------------|-------------|--|

Reports from Director Environment & Community Services

16. ORIGIN: Recreation Services Unit
FILE REF: Parks - Tweed Botanic Gardens

REPORT TITLE:

Tweed Shire Regional Botanic Gardens

SUMMARY OF REPORT:

Council owns approximately 158 hectares of rural land at Stotts Creek and Eviron for various public purposes including landfill, waste recycling, cemetery and gravel extraction. In 1997, Stotts Creek Waste Depot was licensed under the provisions of the Waste Minimisation Act 1996. Part of the licensing requires Council to consider it's planning for when the site land filling is completed.

At its meeting held 17 January 1996 Council resolved to develop a Regional Botanic Gardens as an end use for this land. At its meeting held 20 August 1997, Council resolved to proceed to produce an overall plan for the Regional Botanic Gardens.

The resultant master plan was completed in 1998. The master plan provides the overall planning and design concept for the Tweed Regional Botanic Gardens.

A recommendation of the Master Plan is that an economic evaluation cost benefit study be carried out as part of the design development stage. When investigating various funding opportunities, advice was received that such a study would be required in most instances before further funding would be considered.

In June 2000, Council was successful in its application through the Regional Assistance Program for funding to produce a Tweed Regional Botanic Gardens Economic Assessment and implementation study.

This report outlines the results of the study and makes recommendations for progression of the Regional Botanic Gardens.

RECOMMENDATION:

That :-

1. Council endorses the next phases of construction of the Tweed Shire Regional Botanic Gardens.
2. A competition be held to produce a logo for the Tweed Regional Botanic Gardens with a panel comprising of the Mayor, the Director Environment and Community Services, Manager Recreation Services, Manager Environment and Health Services, and a

Reports from Director Environment & Community Services

Representative of the Friends of the Botanic Gardens be convened to oversee the process and present a final recommendation to Council.

3. Council votes the expenditure of \$200,000 from the Stotts Creek Waste Depot Rehabilitation Fund for the works associated with the Waste Depot.

Reports from Director Environment & Community Services

REPORT:

BACKGROUND:

Council owns approximately 158 hectares of rural land at Stotts Creek and Eviron for various public purposes including landfill, waste recycling, cemetery and gravel extraction. In 1997, Stotts Creek Waste Depot was licensed under the provisions of the Waste Minimisation Act 1996. Part of the licensing requires Council to consider it's planning for when the site land filling is completed.

At its meeting held 17 January 1996 Council resolved to develop a Regional Botanic Gardens as an end use for this land. At its meeting held 20 August 1997, Council resolved to proceed to produce an overall plan for the Regional Botanic Gardens.

The resultant master plan was completed in 1998. The master plan provides the overall planning and design concept for the Tweed Regional Botanic Gardens.

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In June 2000, Council was successful in its application through the Regional Assistance Program for funding to produce a Tweed Regional Botanic Gardens Economic Assessment and implementation study.

Economic Impact Assessment and Implementation Study:

The study examines the Botanic Gardens within the economic context – including estimated employment levels, linkages with existing operators, flow-on employment and economic effects, and identifies costs and benefits to the region. A copy of the complete study is provided for Councillors. The following are the main points as found in the executive summary of the report.

- *This Economic Impact Assessment and Implementation Study has been prepared by Urban Economics on behalf of the Tweed Shire Council, and examines the Tweed Regional Botanic Gardens within the economic context. This document will form the basis for sourcing funding and implementing the proposal within the regional context.*
- *The Tweed Regional Botanic Gardens are intended to offer opportunities for passive recreation as well as the representation and preservation of endemic species within an ornamental setting, providing an important educational resource.*
- *Botanic Gardens have been favoured by high attendance rates for cultural venues in Australia, the third highest attendance levels behind cinemas and libraries. Attendance rates have been declining over time, from 38.5% of those over the age of 15 years in 1995 to 36.1% in 1999. This presents challenges for Botanic Gardens to remain relevant in an increasingly competitive environment in attracting visitors.*
- *Botanic Gardens rely heavily on government funding sources, comprising 85.8% of total income sources for employing botanic gardens, arboreta and herbariums in Australia in 1997. With increasing evidence of Government policy directed towards privatisation of public goods and uses pays systems, Botanic Gardens face increasing pressures to source new funding streams, including admissions incomes.*

Reports from Director Environment & Community Services

- *Discussions with managers of a range of regional Botanic Gardens in Australia, together with proposed Botanic Gardens and the Royal Sydney Botanic Gardens, and inspections of a broad range of Botanic Gardens was integral to identifying key issues facing regional Botanic Gardens. Some key themes common to these Gardens included:*
 - *Master planning for unifying development*
 - *Funding challenges and constraints*
 - *Long term nature of Botanic Gardens development*
 - *Community proprietorship of the Gardens*
 - *Challenges in meeting the needs and requirements of varied stakeholders*
 - *Maintaining the integrity of the Botanic Gardens also presents a range of challenges for managers and operators, which can be assisted through careful master planning.*
- *Target markets for the Tweed Regional Botanic Gardens have been identified as young families, with school age children, middle families with school age children, school groups and those with an interest in plants.*
- *A Catchment Area for the Tweed Regional Botanic Gardens has been defined as Tweed Shire plus the southern areas of the Gold Coast. The population of this Catchment Area is projected to increase from 129,500 persons as at June 2000, to 148,900 persons by 2011.*
- *The needs of residents and visitors were investigated through a telephone survey of Catchment Area residents and a self-completion survey distributed to visitors and day trippers.*
- *Some 54% of residents had last visited a Botanic Gardens more than 12 months before the survey, although only 15% had never visited a Botanic Gardens.*
- *A significant 83% of respondents indicated that they were likely to visit the proposed Tweed Regional Botanic Gardens at Eviron. Family households were more likely to visit the proposed Gardens than young couple or empty nester households.*
- *The presence of a kiosk/café/restaurant, BBQ's/picnic tables, children's playgrounds, organised tours/walks and children's activities/walks were considered important for residents to encourage them to visit the proposed Botanic Gardens.*
- *Respondents were asked to indicate their likelihood of visiting the Botanic Gardens under a range of entry scenarios including the imposition of an entry fee, membership fee structure, parking fee, donation only and no fees. The no obligation scenarios elicited the highest likelihood of visitation, with similar responses for parking fee and entry fee scenarios. Respondents least favoured the imposition of a membership fee structure that would offer free entry to members.*
- *It is estimated that as at 2011, the Tweed Regional Botanic Gardens could attract some 60,000 visitors, recognising that it will take time to establish a quality botanic gardens with sufficient critical mass to generate interest for visitors.*

Reports from Director Environment & Community Services

- *An assessment of direct employment opportunities suggests that 4 maintenance or garden staff could be supported at the Botanic Gardens within the 10-year period, and that the restaurant/kiosk could employ 4 full-time equivalent persons. Some 70 persons could be employed in the construction of the Botanic Gardens during this period.*
- *Employment as a result of the construction and operation of the Gardens is projected to have flow on effects of some 100 full-time equivalent persons.*
- *Niche opportunities identified for the Tweed Regional Botanic Gardens include cross promotion with existing businesses, linkages with the Lismore Rainforest Botanic Gardens, establishing Botanic Gardens, school education programs, North Coast Institute of TAFE's horticulture and guiding courses, and conference and venue facilities.*
- *Costs to the community and the economy can be drawn from the perception of the Botanic Gardens as a luxury and a facility that meets the needs of a select segment of the community, at the expense of others. The Botanic Gardens may be perceived as a drain on resources for other essential services. Education and publicity campaigns will be important to illustrate Council's commitment to the rehabilitation of the land and to demonstrate funding sources.*
- *The Botanic Gardens will positively contribute to the provision of employment opportunities for the community, with flow-on effects to the surrounding economy. The community will also benefit from the provision of an alternative passive recreation destination, preservation, research and conservation of floral species and opportunities to study plants within a natural setting.*
- *The Marketing Strategy presents a series of strategies for the pricing, promotion and positioning of the Botanic Gardens within the Region.*
- *The product strategy for the Tweed Regional Botanic Gardens is to develop a Gardens representative of the floral species endemic to the Region and to provide an alternative recreational destination for residents and visitors.*
- *Pricing strategies should reflect the public good nature of the Botanic Gardens as well as the quality of the Gardens and the level of benefits that visitors feel that they are obtaining from the Gardens.*
- *The positioning of the Tweed Regional Botanic Gardens is to display plants in a horticultural setting that offers visitors a different experience to that within the surrounding national parks, and offers educational, recreational and conservation benefits.*
- *Promotional strategies largely focus on publicity as primary promotional tools, particularly during the development stages, utilising local media and resources such as Tweed Links.*
- *The pricing strategy recommends strategies such as leasing the restaurant/kiosk to a proven operator, charging fees for special events and facilities, charging for weddings, utilisation of the Gardens for regular activities such as Yoga and Tai Chi, nominal charges per head for tour groups and school groups.*
- *The Master Plan for the Tweed Regional Botanic Gardens projects an intensive development of the Gardens within a 10-year time frame. It may be prudent to delay certain elements of the development, dependent on available funding sources.*

Reports from Director Environment & Community Services

- *Relevant grant schemes that may present opportunities for funding include Environmental Trust grants from the Environmental Protection Authority, Capital Assistance Programs from the Department of Sport and Racing and the NSW Ministry for the Arts, and potentially the Centenary of Federation Fund, which may require matching Council funding.*
- *There appear to be synergies in establishing linkages with the North Coast Regional Botanic Gardens and the Lismore Rainforest Botanic Gardens to maximise economies of scale for these regional botanic gardens in terms of utilisation of resources, research, expertise, specialisation in collections and plantings, recording and advocacy.*

Botanic Gardens – initial development phase

Several factors direct that it is an appropriate time to commence development of aspects of the Gardens.

The completion of the Yelgun- Chinderah motorway:

The Tweed Valley Cemetery is to be integrated with the Botanic Gardens as the initial phase. However, the planning and construction of the Yelgun – Chinderah Motorway meant that linkages with the Botanic gardens site were severed until completion. An underpass linking the Cemetery and Gardens site was constructed and now provides safe access.

This now provides the opportunity to complete link trails to the Gardens core area from the cemetery and the development of facilities on the western side of the motorway.

The completion of the haul road to Quirk's quarry:

The haul road to Quirk's quarry provides access to the proposed 'core area' of the gardens. This presents the opportunity to construct the initial stages of the gardens. This may include public conveniences, walking trails and wetland boardwalks, picnic facilities, interpretation facilities and a basic nursery facility. The core area can be readily linked to the cemetery site providing both vehicular and pedestrian access creating a significant recreation facility.

Additionally, several of the ridges and spurs within the site present a opportunity to construct 'nature walks' that will provide panoramic views of the valley and a botanical experience.

Council owns a cottage and farm shed directly off Eviron Road at the entrance to the 'core area'. This house provides a dramatic vantage point with excellent supervision possibilities over much of the Gardens 'core area'. This site may serve as an interim visitors information, operations and maintenance centre.

The capping of sections of the tip:

Sections of Stotts Creek waste depot have reached their capacity and have been capped while other sections will reach their capacity in the near future. These areas require rehabilitation and will form part of the Botanic Gardens at the western end of the site.

This presents an opportunity for potential research projects into species selection for successful rehabilitation of areas effected by methane, salt etc. Council is finalising a brief to consider the overall design of these areas, and detail a research proposal to be offered to local universities. This will be funded from reserves for landfill rehabilitation.

The recent trials with the Vetiver grass are part of the rehabilitation and research.

Reports from Director Environment & Community Services

Signage and logo:

The Tweed Regional Botanic Gardens currently does not have a logo to promote the gardens or provide an instantly recognisable link for other areas or issues associated with the gardens.

The Botanic Gardens Master Plan recommended that Bruce Chick Park and the Bicentennial Environment Park, Pottsville become annexes of the Botanic Gardens. Similarly, the Eviron Lawn cemetery has a variety of themed plantings with plans to extend and enhance such plantings as part of the gardens.

It is proposed that a competition be held to produce a logo for the gardens that can then be utilised in all informational and promotional signage and literature related to the gardens, including signage at Bruce Chick Park, The Bicentennial Environment Park, the Eviron Cemetery sector of the botanic gardens, the sections of Stotts landfill as they are rehabilitated and the sections of the ridge top walks.

Initial works:

Works within the cemetery section of the gardens have been planned and constructed in line with the botanic gardens theme. The following has been completed:

- Planting of a section with species endemic to North Queensland.
- Creation of a rainforest gully.
- Botanical themes used to identify burial rows.

The Friends of the Botanic Gardens hold bi-monthly working days in which they have undertaken the following:

- Construction and planting of the 'Day Lilies' garden.
- Planting of trees and palms in various locations throughout the site.
- Construction of a 'butterfly' circuit track. This track was planted with various butterfly attracting plants and vines.
- Protection and enhancement of the low lying grasslands

Additionally, Council has utilised both Work for the Dole and Green Corps projects to assist with all of the above plus the commencement of a Camphor Laurel removal program.

The next works in the Gardens will involve the construction of picnic facilities, walking trails and boardwalks through the core area, along the scenic ridges, and providing links with the cemetery site. The site has significant natural attributes and once tracks are constructed facilitating access through the site, the development of other aspects of the gardens can be further considered

Future Planning:

As the gardens progress, the preparation of detail for engineering and architectural elements, general planning and design etc will be required. These elements and further subsequent works will be progressed as funds become available.

Reports from Director Environment & Community Services

Funding:

The rehabilitation at the Stotts Creek landfill site and progression of the gardens from this end of the site will be funded through the waste fund as this is a requirement of Council's licence to operate a landfill operation.

The construction of the walking trails can be financed through the land acquisition funds available from the purchase of land from Council for the construction of the Yelgun-Chinderah expressway. It is anticipated much of these works may be facilitated through labour market programs, training programs and volunteer programs such as Green Corps and the Friends of the Botanic Gardens. Council has a current annual allocation of \$35,000 for Botanic Gardens maintenance. This funding will cater for the maintenance of these initial phases.

Section 94 Plan no 26 – Shire Wide Regional Facilities allocates \$2,000,000 to the Regional Botanic gardens in the Casual Open Space works program. This funding will allow for the future planning and development of the gardens.

Summary:

The development of a Botanic Gardens of the scale proposed will provide the opportunity to cater for a wide range of needs for the present and future community, and provide a range of short and long term benefits including;

Recreational – Provision of extensive areas of attractive open space for various passive recreation uses by the local community and visitors

Community – Create a centre for education and research; provide for demonstration gardens; provide educational facilities for local schools and colleges in botany and other related subjects; provide a focus for various benefits of a social nature

Economic – The Gardens will become a major element attracting tourists to the area; the stimulation of related flow on projects; stimulation of infrastructure

Environmental – A practical means of preserving regional bio-diversity; stimulate awareness and caring of the environment; provide interpretive data to increase awareness of the values of native plant communities and ecosystems.

The Shire has reached a threshold where there is a demand for open space facilities of a higher order such as the Botanic Gardens. With the predicted growth over the next 20 years, this demand will naturally increase. It is therefore prudent of Council to plan and cater for this demand now. As the development of botanic gardens is a long-term project, it is vital to commence the next stages of development as early as feasible.

Reports from Director Environment & Community Services

17. ORIGIN: Environment & Health Services Unit

FILE REF: Aged Services; Police; Education Matters

REPORT TITLE:

Pottsville Consultation August 2003

SUMMARY OF REPORT:

On Wednesday 20 August, Council's Community Worker Aged & Disability, Dept of Veterans Affairs Tweed Heads, Pottsville Beach Neighbourhood Centre, Pottsville and Districts RSL sub-branch and Northern Rivers Area Health held a Community Consultation at Pottsville.

A meeting was also held by the Department of Veterans Affairs and Pottsville & District RSL Sub-Branch to discuss establishing a Veterans' co-ordinated Senior's Day Centre in Pottsville. Visitors were asked to identify needs for Pottsville. Lack of transport was identified as an issue for all ages. Residents would like more police, art and cultural activities, more healthy lifestyle groups such as walking and cycling, more adult education and computer education and more social activities for the aged.

The collated results from this survey are included in this report.

A separate survey addressing health and medical issues was completed by Northern Rivers Area Health. This is not available.

RECOMMENDATION:

That this report be received and noted.

Reports from Director Environment & Community Services

REPORT:

On Wednesday 20 August, Council's Community Worker Aged & Disability, Dept of Veterans Affairs Tweed Heads, Pottsville Beach Neighbourhood Centre, Pottsville and Districts RSL sub-branch and Northern Rivers Area Health held a Community Consultation at Pottsville Bowls & Sports Club.

Over 80 people attended. Local community groups and service providers displayed information and answered questions on current activities in the Pottsville area.

A public meeting was held by the Department of Veterans Affairs and Pottsville & District RSL Sub-Branch to discuss establishing a Veterans' co-ordinated Senior's Day Centre in Pottsville. A vote was in favour and 12 people volunteered to assist. Volunteer training starts in October and it is hoped this new Day Centre will be running in Pottsville by November. It is envisaged this new Day Centre will complement the existing Tweed Coast Day Centre, which meets at Pottsville Community Hall on Tuesdays and Fridays. The new Centre will meet on different days.

Visitors completed a form asking them to identify needs in Pottsville. Lack of transport was identified as an issue for all ages. In general residents would like more police, art and cultural activities, more healthy lifestyle groups such as walking and cycling, more adult education and computer education (the Pottsville Community Technology Centre is opening soon), and more social activities for the aged.

The results have been collated and will be distributed to all groups and service providers listed on the Tweed Interagency, Tweed Aged Interagency and Tweed Disability Interagency via the next minutes. The collated results from this survey are included in this report.

A separate survey addressing health and medical issues was completed by Northern Rivers Area Health. This is not available.

Reports from Director Environment & Community Services

Pottsville Needs Analysis – Final results

Conducted Wednesday 20 August 2003

Venue: Pottsville Bowls and Sports Club, Pottsville.

This consultation and information day was a joint initiative of Tweed Shire Council, Dept. of Veterans Affairs Tweed Heads, Pottsville Neighbourhood Centre, Pottsville & Districts RSL sub-branch and Northern Rivers Area Health.

A separate survey was conducted on behalf of Northern Rivers Area Health on the need for a Community Health Centre/ Health Services in Pottsville.

The venue, coffee and tea were kindly donated free of charge by Pottsville Bowls & Sports Club.

Approx. 90 people attended the day
62 Surveys were completed

Below are the questions and answers compiled by Rosemary Beard (Dept of Veterans Affairs) and Maggie Groff (Tweed Shire Council).

1. Please identify the suburb in which you live:

69% of those surveyed were residents of Pottsville (43)
12.9% Hastings Point (8)
6.4% Kingscliff (4)
3.2% Murwillumbah (2)
1.6% Tweed Heads (1)
1.6% Burringbar (1)
1.6% Cabarita (1)
1.6% Cudgera (1)
1.6% Gold Coast (1)

2. How do you find out about local activities/events?

Multiple answers were given for this question

| | |
|---------------------------------|----|
| Local newspaper | 28 |
| The Pelican Post | 26 |
| The Tweed Link | 25 |
| Pottsville Neighbourhood Centre | 12 |
| Word of mouth | 12 |
| Veteran Affairs | 8 |
| Radio | 7 |
| Community group | 7 |
| Signs in windows | 3 |
| Doctor's surgery | 2 |

Reports from Director Environment & Community Services

| | |
|---|---|
| Difficult to find out what is happening | 1 |
| All of above | 2 |
| Centrelink | 1 |
| TV | 1 |
| Networking | 1 |

3. Age group

| | |
|---------|------------|
| 0 – 30 | |
| 31 – 40 | 1 (1.6%) |
| 41 – 50 | 6 (9.8%) |
| 51 – 60 | 13 (21.3%) |
| 61 – 70 | 25 (40.9%) |
| 71 – 80 | 15 (24.5%) |
| 81 – 90 | 1 (1.6%) |
| 90+ | 0 |

4. Gender

| | |
|--------|------------|
| Male | 26 (41.9%) |
| Female | 36 (58%) |

5. Are you related to a Veteran or Veteran's affairs or group?

| | |
|-----|------------|
| Yes | 19 (30.6%) |
| No | 42 (69%) |

6. Do you use Veterans Affairs services?

| | |
|-----|---------------------------------------|
| Yes | 12 (63.15% of those who were related) |
| No | 50 |

Which services?

- Hearing aids medical
- VA Tweed and Pottsville
- Twin Towns RSL
- VAN Tweed
- Legacy Consultative Committee
- Prescriptions
- RSL Women's Auxiliary
- Gold Card 2
- TPI 1
- VVCS/VAN
- Volunteer

Reports from Director Environment & Community Services

7. Are there any factors that restrict you from participating in activities? For example, lack of transport, lack of childcare, costs, unsuitable time e.g. day/evening/weekend. Please circle

| | |
|------------|----|
| Yes | 12 |
| No | 40 |
| No Answers | 2 |

Please Identify:

| | |
|---|---|
| Lack of transport | 6 |
| Unsuitable at weekends | 2 |
| Unsuitable at evenings | 1 |
| Unsuitable during the day | 2 |
| Disabled | 3 |
| Costs | 4 |
| Emotional restrictions | 1 |
| Respite is unavailable at times that suit or qualified staff not always available | 1 |

8. Do you have any problems understanding local information that is available, eg don't speak English, vision impairment?

| | |
|-------------------|-----|
| Yes | Nil |
| No | 60 |
| No Answer | 1 |
| Visual impairment | 1 |

9. Do you have any physical access problems to local public areas because of a disability eg shops/park?

| | |
|---|----|
| Yes | 3 |
| No | 55 |
| Getting off the beach | 1 |
| Pottsville Post Office | 1 |
| Pottsville Pharmacy | 1 |
| Doctors | 1 |
| Hardware Shop | 1 |
| Nearby Shops | 1 |
| Elderly mother has problems/uses walker | 1 |
| Walking | 1 |

10. Would you like to be more involved with local art/cultural activities eg Museum development, festivals, art projects?

| | |
|-----|----|
| Yes | 25 |
|-----|----|

Reports from Director Environment & Community Services

| | |
|------------|----|
| No | 31 |
| No Answers | 2 |

Please identify the activities you would like to see available locally

| | |
|------------------------------|---|
| Folk art | 1 |
| Craft | 1 |
| Museum | 1 |
| Art Cultural Activities | 3 |
| Keyboard | 1 |
| Festivals | 2 |
| Calligraphy | 1 |
| Already involved | 4 |
| History of Pottsville | 1 |
| Permanent display of history | 1 |
| Mural | 1 |
| Youth involvement | 3 |
| Classical music | 1 |
| Concerts | 1 |

11. Would you like to be more involved with local sporting activities eg cycling, healthy exercise, walking groups?

| | |
|---------------------------|----|
| Yes | 28 |
| No | 24 |
| Cycling | 8 |
| Walking | 14 |
| Swimming in hot water | 1 |
| Healthy Exercise | 2 |
| Golf | 2 |
| Aerobics | 1 |
| Gym` | 1 |
| Tai Chi reasonably priced | 2 |
| Pilates | 1 |
| Tennis | 1 |
| Croquet | 1 |
| Already walk | 2 |
| Bowls | 1 |
| Seniors Sports | 1 |
| Social BBQ's | 1 |
| Rugby Union | 1 |

Additional comments

Youth services to curb unacceptable behaviour, mid week and weekends, Friday and Saturday nights.

Reports from Director Environment & Community Services

12. Would you like to be more involved with local educational activities, eg University of the Third Age, Pottsville CTC?

| | |
|-----------|----|
| Yes | 34 |
| No | 23 |
| No Answer | 3 |

Please identify your needs:

| | |
|------------------|----|
| U3A | 5 |
| Computers | 15 |
| Pottsville | 3 |
| Internet | 1 |
| Local History | 1 |
| Mahjong | 1 |
| Community groups | 1 |
| Crafts | 2 |
| Bridge | 1 |
| Languages | 1 |
| Writing | 1 |

13. Do you currently access local HACC services (Home and Community Care) eg Respite services, Community Options, Home Care, Community Transport, Meals on Wheels, Telecross ?

| | |
|-----------|----|
| Yes | 4 |
| No | 55 |
| No Answer | 1 |

| | |
|------------------------------|---|
| Meals on Wheels volunteer | 1 |
| Community Transport | 1 |
| Community Options | 1 |
| Better bus service | 1 |
| Needs respite help | 1 |
| Need to have HACC advertised | 1 |
| Respite | 1 |
| Community Options | 1 |
| Home Care | 1 |
| Occasional Shopping | 1 |

14. Are you a carer?

| | |
|-----|----|
| Yes | 8 |
| No | 50 |

Reports from Director Environment & Community Services

No Answer 1

Please identify current problems and needs, e.g. respite, isolation

| | |
|--|---|
| Meals on wheels | 1 |
| Respite | 2 |
| Elderly mother feelings of isolation | 2 |
| Not at this time/isolation is part of role | 1 |

15. Are you caring for a person with dementia?

| | |
|---------------------|----|
| Yes | 2 |
| No | 57 |
| No Answer | 1 |
| No needs identified | |

16. Are you an older person doing full time parenting of grandchildren?

| | |
|-----------|----|
| Yes | 2 |
| No | 58 |
| Part time | 2 |

17. If you are a young person living in the coastal villages, what do you need eg childcare, transport?

| | |
|--------------------------------------|---|
| Transport for patients to Tweed | 1 |
| Transport | 1 |
| More entertainment urgent | 1 |
| Youth Centre for range of activities | 1 |
| Reduce loneliness | 1 |

18. If you were an older person living in the Coastal Villages who perhaps feels socially isolated, what do you think could help to reduce loneliness eg Day care, Seniors Clubs?

| | |
|-------------------------------|----|
| Laughter club | 1 |
| Day Care seniors clubs | 10 |
| Community Interaction | 1 |
| Place to find out information | 1 |
| Gardening clubs | 1 |
| Walking clubs | 1 |
| Singalongs | 1 |
| Card Groups | 2 |
| Discussion groups | 1 |
| Join Community Associations | 1 |

Reports from Director Environment & Community Services

19. If we were to establish a local Seniors Day Club Program what topics would you be interested in please tick:

| | Very Import | Import | Not Import | Don't Know | N |
|--------------------------|----------------|--------|---------------|---------------|----|
| Legal Aid | 13 | 14 | 03 | 01 | 20 |
| Memory Changes | 11 | 13 | 03 | 01 | 23 |
| Dependency | 09 | 07 | 04 | 0 | 31 |
| Cooking Programs | 06 | 12 | 04 | 02 | 27 |
| Grief and Loss | 10 | 13 | 01 | 0 | 27 |
| Heart Health | 11 | 12 | 01 | 01 | 21 |
| Massage Therapies | 08 | 21 | 02 | 01 | 18 |
| Sleep Disorders | 16 | 09 | 02 | 01 | 23 |
| Grandparenting Advice | 03 | 09 | 11 | 02 | 26 |
| Aromatherapy | 04 | 07 | 08 | 02 | 30 |
| Arthritis | 18 | 14 | 01 | 0 | 18 |
| Nordic Walking | 03 | 16 | 04 | 03 | 25 |
| Life Ball | 04 | 08 | 08 | 05 | 26 |
| Chair Dancing | 05 | 15 | 08 | 03 | 30 |
| Travel Clubs | 14 | 13 | 04 | 02 | 18 |
| Making a Will | 14 | 09 | 04 | 0 | 24 |
| Book Clubs | 15 | 16 | 02 | 01 | 17 |
| Powers of Attorney | 13 | 12 | 03 | 0 | 23 |
| University of Third Age | 12 | 16 | 22 | 01 | 19 |
| Volunteering Programs | 13 | 15 | 03 | 01 | 19 |
| Legal Issues for Women | 08 | 16 | 03 | 01 | 23 |
| Financial Management | 11 | 13 | 3 | 01 | 33 |
| Water therapies/exercise | 12 | 12 | 5 | 1 | 31 |
| Crime prevention/Safety | 28 | 10 | 1 | 1 | 21 |
| Multicultural activities | 4 | 13 | 7 | 3 | 34 |
| Being an older woman | 5 | 19 | 4 | 3 | 30 |
| Problem solving | 14 | 9 | 6 | 2 | 30 |
| Yogalates | 1 | | | | |
| Youth Services | | | | | |

There were 9 surveys where all boxes were blank.

Are there any activities you would not participate in? Please nominate

Grandparenting, Chairdancing, Lifeball, Nordic Walking, Aromatherapy

Please list the three activities, from the ones you indicated to be very important, that would be your top priorities:

Priority 1

Health

1

Reports from Director Environment & Community Services

| | |
|----------------------|---|
| Legal Aid | 6 |
| Crime Prevention | 7 |
| U3A | 5 |
| Being an older woman | 1 |
| Wills | 1 |
| Dependency | 1 |
| Arthritis | 2 |
| Travel groups | 2 |
| Power of Attorney | 2 |
| Water Therapies | 2 |
| Youth Activities | 2 |
| Memory Changes | 1 |
| Volunteers | 1 |
| Massage Therapy | 1 |

Priority 2

| | |
|--------------------------|---|
| Seniors Advice | 1 |
| Cooking Programs | 2 |
| Grief and Loss | 1 |
| Financial Management | 3 |
| Volunteering Programs | 3 |
| Crime Prevention | 5 |
| Problem solving | 1 |
| Massage Therapies | 2 |
| Languages | 1 |
| Water Therapies | 1 |
| Book Clubs | 2 |
| Sleep Disorders | 4 |
| U3A | 3 |
| Power of Attorney | 2 |
| Health Education | 1 |
| Multicultural Activities | 1 |
| Arthritis | 2 |

Priority 3

| | |
|----------------------------|---|
| Volunteering | 2 |
| Arthritis | 5 |
| Heart Health | 3 |
| Grief and Loss | 2 |
| Water therapy and exercise | 1 |
| Multicultural Activities | 1 |
| Legal information | 1 |
| Memory Changes | 4 |
| Travel Clubs | 3 |
| Power of Attorney | 1 |

Reports from Director Environment & Community Services

| | |
|---------------------|----|
| Crime Prevention | 3 |
| Area health service | 1 |
| Wills | 1 |
| U3A | 2 |
| No Answer: 26 | 26 |

If we were to run a new Seniors Day Club which day would suit best? Possible days are:

| | | | | |
|--------|-----------|----------|-----------|-----|
| Monday | Wednesday | Thursday | No Answer | Any |
| 12 | 12 | 12 | 23 | 1 |

20. Please note any other suggestions or comments you may have on needs for the Pottsville area:

| | |
|---|---|
| A place for young vets to get together | 1 |
| Coffee mornings | 1 |
| More liaison between community and council for planning | 1 |
| More liaison between community and NSW government for planning | 1 |
| More youth activities | 2 |
| Police on duty - 24hrs, overnight, police station | 6 |
| Support for existing day club | 1 |
| Better bus service | 1 |
| Keep young people off the streets/ curfew | 2 |
| Noise reduction from neighbours | 1 |
| Mediation between neighbours | 1 |
| Hydrotherapy and heated pool | 2 |
| Decrease in anti social behaviour from youth | 2 |
| Volunteer to check on elderly citizens who are ill and have no family | 1 |
| Don't push development | 1 |
| No high rise | 1 |
| Pathology lab | 1 |
| After hours medical centre | 5 |
| More youth activities | 1 |
| Coordination of transport times | 1 |
| Water exercise | 1 |
| Mental health | 1 |
| Advertising of youth services possibly Neighbourhood Centre | 1 |
| More Doctors | 3 |
| Adopt a grandparent | 1 |
| More available information of services | 1 |
| Ambulance | 1 |
| Toilet at North Beach | 1 |
| More meeting rooms for community groups | 1 |

Reports from Director Environment & Community Services

| | |
|---|---|
| Provision of community parking in line with expansion | 1 |
| Making shops accessible | 1 |
| Balance of services to cater for all demographics – aged, youth and general | 1 |
| Successful Neighbourhood Watch – join now | 1 |
| Community Health Centre | 1 |

Reports from Committees/Working Groups

1. Minutes of the Bob Whittle Murwillumbah Airfield Management Committee Meeting held Tuesday 16 September 2003

Murwillumbah Airfield

VENUE:

Rous Meeting Room

TIME:

3.05pm

PRESENT:

Cr Max Boyd, Cr Lynne Beck, Richard Adams, Greyden Tapp, Brian Budd, Ken Zealey

APOLOGIES:

Harry Williams

AGENDA ITEMS:

1. Update and recommendations of contributions and charges to be levied on proponents of new private aircraft hangars

Murwillumbah Airfield

Richard Adams updated the Committee on the negotiations which have taken place between the Airfield Committee representatives, Mr Ken Zealey and himself, Rhys Richards on behalf of the proponents and Tony Mitchell from Stacks the Law Firm, Council's solicitors.

The current position is that the general lease terms are agreed and that Council's solicitors will prepare the draft lease agreement between the parties and the proponent.

Richard Adams advised that negotiations for determining the method of contributions and charges, ie. annual rent, annual maintenance contribution and the one off capital contributions for fill and compaction and upgrade of the western bridge have been undertaken. The proponent suggests that an equitable basis will be applying the current rates for each of these charges paid/payable by the existing Murwillumbah Hangar Group, multiplied by a factor made up of the proposed lease area, divided by existing hangar group leased area.

Decision: Richard Adams writes to Rhys Richards (the proponent) outlining the suggested fees and contributions proposal, requesting his response within 21 days.

Reports from Committees/Working Groups

If the proponent accepts this method of calculation Richard Adams to prepare an appropriate report to Council recommending acceptance of these rates of fees and contributions and their incorporation in the lease agreement.

2. Confirm Murwillumbah hangar group rental at \$ 5,000 per annum plus GST
Murwillumbah Airfield

Richard Adams advised the Committee of the current status with respect to the annual rental rate to apply to the existing Murwillumbah Hangar Group.

Richard Adams further advised of the anomalies with the State Valuation Office valuation and the subsequent discussion with Brian Hunter, Murwillumbah Hangar Group representative. Brian Hunter intimated his group would be prepared to pay an annual rental rate of \$5,000 per annum + GST.

RECOMMENDATION:

That Council accepts the Bob Whittle Murwillumbah Airfield Committee's proposed annual rental rate of \$5,000 per annum + GST for the Murwillumbah Hangar Group, to apply from 1 October 2002.

GENERAL BUSINESS:

3. Twin Pionair Airlines
Murwillumbah Airfield

Twin Pionair Airlines has made application seeking permission to park their aircraft on the western side of the airfield, close to the windsock.

Decision: That Richard Adams advises the applicant that due to the future development of the western side of the airfield and the need to keep tie-down parking spaces on the eastern side of the airfield available for itinerant aircraft that the request cannot be accommodated.

4. Condition of Windsock
Murwillumbah Airfield

Brian Budd advised that the windsock is in a state of disrepair.

Decision: That Richard Adams arranges for the appropriate repairs to be effected.

The meeting closed at 3.56pm.

| |
|--|
| <p><i>Director's Comments:</i> <i>As per Committee recommendation.</i></p> |
|--|

Reports from Committees/Working Groups

DIRECTOR'S RECOMMENDATIONS:

2. **Confirm Murwillumbah hangar group rental at \$ 5,000 per annum plus GST
Murwillumbah Airfield**

Committee Recommendation:

That Council accepts the Bob Whittle Murwillumbah Airfield Committee's proposed annual rental rate of \$5,000 per annum + GST for the Murwillumbah Hangar Group, to apply from 1 October 2002.

| |
|--|
| <i>Director's Recommendation:</i> |
|--|

| |
|---|
| <i>As per Committee recommendation.</i> |
|---|

Reports from Committees/Working Groups

2. Minutes of the Floodplain Management Committee Meeting held on Wednesday 27 August 2003

File No: Floodplain Management

VENUE:

Canvas & Kettle Restaurant

TIME:

10.00am

PRESENT:

Mike Rayner (Tweed Shire Council); Toong Chin (DIPNR); David Oxenham (Tweed Shire Council); Felicia Cecil; Cr Max Boyd; Patrick Knight (Tweed Shire Council); Jim Everingham; Tom Flood (State Emergency Services); Brian Sheehan (State Emergency Services).

APOLOGIES:

Cr Wendy Marshall; Paul Reynolds.

MINUTES OF PREVIOUS MEETING:

Moved: Jim Everingham

Seconded: Tom Flood

RESOLVED that the Minutes of the Floodplain Management Committee meeting held Wednesday 18 July 2001 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

AGENDA ITEMS:

1. East Murwillumbah Dorothy Street Levee

Floodplain Management - East Murwillumbah / Dorothy Street

Paul Reynolds advised that he wished to resign from the Committee as he has moved out of the area.

Moved: David Oxenham

Seconded: Mike Rayner

RESOLVED to call for Expressions of Interest in the Tweed Link for a representative from the Dorothy Street area.

David Oxenham provided an update of the project.

Moved: Brian Sheehan

Seconded: Tom Flood

RESOLVED that the Manager Water write to the Department of Infrastructure, Planning and Natural Resources to request advice on potential of funding for the East Murwillumbah Dorothy Street Levee.

Reports from Committees/Working Groups

2. Flood Study Status

Flood Warning System

David Oxenham and Toong Chin gave an update of the Flood Study.

Tom Flood asked if ocean surge has been included in the model. Toong Chin advised that it was.

General discussion on how the outcomes of this Study will assist the SES plan for PMF events.

Cr Max Boyd requested that the new motorway and canefields need to be factored into the Model.

David Oxenham advised that the Committee will be called together to meet in relation to the Model with Council's Consultants. Meeting to be scheduled within the next four months.

3. DCP5 Review (Floodplain Management Manual 2001)

Floodplain - General & Policy

David Oxenham gave an update at the current DCP5 review in relation to housekeeping requirements. David Oxenham also advised of the process of the review of DCP5 following the Flood Study and in accordance with the Floodplain Manual 2001.

Discussion also over the non-gazettel of the new Floodplain Manual.

David Oxenham to provide copies of DCP5 to all community members of the Committee and Council members.

Cr Max Boyd requested that when the LEP is reviewed then more components of DCP5 be included.

4. Grants / Programs for 2003/2004

Floodplain Management - Programs

David Oxenham to provide update to Council on VP Scheme.

David Oxenham updated Committee on the 2003/04 Program.

5. Asset Management Plan

Floodplain - Asset Management

David Oxenham provided an update on this proposal.

Reports from Committees/Working Groups

6. Flood Plan

Emergency Services - Flood Evacuation Plans

Brian Sheehan briefed the Committee on the status of the revised Flood Plan. He will endeavour to have this plan finalised within the next six months.

7. Clarrie Hall Dam Flood Plan and Project Status

Emergency Services - Flood Evacuation Plans

Brian Sheehan advised that he had some questions over the operability of the Plan. Concerns over how well the event could be communicated to the community.

Moved: Brian Sheehan

Seconded: David Oxenham

RESOLVED that the plan required review. SES and Council officers are to review the plan. TCS also to advise the community of the Plan.

GENERAL BUSINESS:

1. Committee Representatives

Floodplain - General & Policy

Discussion on the make-up of the Committee and the possibility of expanding the representation to include representatives from lower catchment areas and the Cane Industry.

Moved: Felicia Cecil

Seconded: Brian Sheehan

RECOMMENDATION:

That Council calls for Expressions of Interest for inclusion on the Committee of representatives from the following localities and groups: Oxley Cove; South Tweed; Cane Growers; Dorothy Street; Caravan Parks.

2. Flood Education

Emergency Services - Flood Evacuation Plans

Flood recording for the Tweed River attached for Council information.

Cr Max Boyd advised the Committee of the Council resolution to ensure that all future zoning of the land for urban living is above the maximum possible flood height.

Discussion on future studies for the upper reaches of the Tweed, Oxley and Rous Rivers.

Reports from Committees/Working Groups

NEXT MEETING:

The next meeting of Floodplain Management Committee will be held as determined by Manager Water.

The meeting closed at 12.00pm.

Director's Comments:

NIL

Reports from Committees/Working Groups

3. Minutes of the Local Traffic Committee Meeting held Thursday 18 September 2003

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, Mr Neville Newell, MP, Member for Tweed.

MINUTES OF PREVIOUS MEETING:

RESOLVED that the Minutes of the Local Traffic Committee Meeting held Thursday 14 August 2003 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

The Chairman advised the Committee that the Tweed Valley Way (Item 3) business arising was held over from the Council meeting to enable Mr Upton to once again address Local Traffic Committee at today's meeting.

BUSINESS ARISING:

GT2/1 Pt3 451

4. Village of Kunghur (Kyogle Road)

R0715; Local Area Traffic Management LATM; Traffic - Speed Zones; R2960 Pt9; Kyogle Road

This item (item 4) was discussed at the meeting held on 14 August 2003 and is reproduced as follows:-

"Request received for a review of the speed limits within the village of Kunghur on Kyogle Road.

The Committee agreed that the speed should be reduced on Kyogle Road at Kunghur to cover the village area to a suitable speed zone based on speed counts and an 'Nlimits' assessment to be undertaken before the next meeting. To be deferred to the next Local Traffic Committee.

For Council's information."

Reports from Committees/Working Groups

The Road Safety Officer advised that traffic counts had been performed and the 85th percentile showed 89kph west of the bridge. It is estimated that the actual speeds through the village itself would be significantly lower than this because of the alignment and roadside development. Given the similar situation at Nunderi the Committee thought it reasonable to have an 800m 70kph zone commencing at the bridge.

RECOMMENDATION:

That a 70kph zone be installed on Kyogle Road at Kunghur from the bridge on the western edge of the village for a distance of 800m.

12. Smiths Creek Road, Uki

R5100 Pt2; Traffic - Speed Zones; Smiths Creek Road

The following item (item 12) was discussed at the Local Traffic Committee meeting held 14 August 2003 and is reproduced as follows:-

"Request and petition received for a reduction in the speed limit on the section of Smiths Creek Road, Uki between Sunrise Place and Clareville Road to 60kph, which is presently 100kph.

It is reported that more young families have moved into the area with concealed entrances and that traffic volumes have increased. There is also a Child Day Care Centre on Smiths Creek Road. The request has also noted that both Sunrise Place and Clareville Road are zoned 50kph.

Note that this petition has also been put forward by Mr N Newell on behalf of the applicant and petitioners.

The Committee decided that a speed zone assessment based on speed counts and 'Nlimits' should be undertaken before the next meeting. To be deferred to the next Local Traffic Committee.

For Council's information."

The Road Safety Officer reported that speed counts showed that the 85th percentile was 72kph with 2.36 accesses per 100m. It was noted that a Family Day Care Centre uses this road. The Committee agreed that a 70kph zone should be installed on Smiths Creek Road.

RECOMMENDATION:

That a 70kph speed zone be installed on Smiths Creek Road from the existing 60kph zone to 100m south west of Clareville Road.

2. Boyd Street

R0700 Pt2; DW923590; Parking Zones; Boyd Street

The following item (item 2) was discussed at the Local Traffic Committee meeting held 24 July 2003 and is reproduced as follows:-

Reports from Committees/Working Groups

"Request received for 2 hour signage to be erected at the northern end of Boyd Street between Brett and Florence Street.

The Committee was concerned that extending the 2 hour limit would push the long term parking problem further into other adjoining streets and suggested that property owners fronting this section of road be consulted and results brought back to a future Traffic Committee meeting. The Committee suggested a 'letterbox drop' of all premises in the subject section of Boyd Street as an appropriate way of seeking input.

For Council's information."

The Chairman advised that a letterbox drop was performed and 8 out of 23 residents opposed 2 hour parking. The survey was tabled at the meeting and is reproduced below. It is noted that some of the objectors advise that they have insufficient on site parking for residential use and therefore need to park on the road. The parking limit will only apply during standard business hours which will generally overcome this issue. The meeting unanimously supported the provision of 2 hour parking on Boyd Street between 8:00am and 5:00pm Monday to Friday and 8:30am to 12:30pm Saturday.

Reports from Committees/Working Groups

→ R0700 Pt 2

LTC 12/9/2003 Item 2 Business Arising
 Council is seeking input from property owners in the area from Brett St to Florence Sts regarding the potential installation of 2hr parking restrictions. Twenty-two responses as per following summary.

| Response no. | Support 2hr | Against 2hr | Comments |
|--------------|-------------|-------------|--|
| 1 | ✓ | | Need no parking from 3 Boyd to Florence St (west side of Boyd St) to allow unimpeded left hand turns. Need silent cop or centre median on Boyd St at intersection of Florence St to stop shortcutting. |
| 2 | ✓ | | |
| 3 | ✓ | | Staff from businesses park in street all day in front of residential properties. |
| 4 | ✓ | ✓ | Difficult for pedestrians to cross the road. |
| 5 | ✓ | | Difficult for pedestrians to cross the road. Heavy vehicles speeding. |
| 6 | ✓ | | Difficult exit driveways because of parked cars obstructing sight distance. |
| 7 | ✓ | | Insufficient parking on site for residential unit developments. |
| 8 | ✓ | | Difficult to find parking. |
| 9 | ✓ | | Car yard vehicles parked on road. |
| 10 | | ✓ | Adverse affect on residential units. |
| 11 | ✓ | | Difficult exit driveways because of parked cars obstructing sight distance. |
| 12 | ✓ | | Difficult exit driveways because of parked cars obstructing sight distance. Support during business hours. |
| 13 | ✓ | | Support during business hours, M-F and Sat morn. |
| 14 | ✓ | | Could be problem for visitors. |
| 15 | | ✓ | |
| 16 | ✓ | | Should include Brett St from Boyd St to Recreation St |
| 17 | | ✓ | Need longer time for homecare service. |
| 18 | ✓ | | Difficult exit driveways because of parked cars obstructing sight distance. Need 2 raised platforms with marked crossings |
| 19 | | ✓ | Need longer time for homecare services and overnight visitors. |
| 20 | | ✓ | 2 car family and one car has to park on street. |
| 21 | | ✓ | Need no parking from 3 Boyd to Florence St (west side of Boyd St) to allow unimpeded left hand turns. Need silent cop or centre median on Boyd St at intersection of Florence St to stop shortcutting and speeding vehicles |
| 22 | | ✓ | Not enough onsite parking for units. Need pedestrian crossing facilities on Boyd St at Florence st intersection. |
| 23 | ✓ | | Need enforcement of current 2 hr parking as car yard vehicles still parked there all day |

Reports from Committees/Working Groups

RECOMMENDATION:

That 2 hour parking be installed on both sides of Boyd Street between Brett and Florence Streets between the hours of 8:00am and 5:00pm Monday to Friday and 8:30am to 12:30pm Saturday.

12. Winders Place, Banora Point (Lake Kimberley)

R5937 Pt1; Parking Zones; Lake Kimberley; Parking Illegal; Winders Place

The following item (item 12) was discussed at the Local Traffic Committee meeting held 17 April 2003 and is reproduced as follows:-

"Vehicles are parking on the pathway and roadway on Winders Place when walking around Lake Kimberley obstructing the footpath to pedestrians.

Cr Marshall advised that there is no parking provision for people wishing to walk around Lake Kimberley and Palms Lake and the parking of vehicles on the footpath is creating a problem.

RECOMMENDATION:

That:-

- 1. "No Parking" signage be installed on the outside of the curve on Winders Place Banora Point near the access path to Lake Kimberley, to be determined on site.*
- 2. Council after purchase of the Lake Kimberley Open Space area be requested to address parking as part of the management of the Public Open Space area on Winders Place."*

Further correspondence has been received on this subject in relation to 'No Parking' signage, footpaths and enforcement of illegally parked vehicles and this matter is brought forward for further consideration.

The Committee reviewed its previous decision and the comments made and noted that a "No Parking" zone enables people to set down passengers such as disabled persons mentioned in the letter right at the pathway entrance. A concrete pathway link is in the current financial year's footpath program. Due to the alignment of the road it is believed that the length of "No Parking" is justified.

For Council's information.

14. Ourimbah Road, Tweed Heads West

R3970 Pt2; B-Doubles; Ducat Street; Kennedy Drive; Ourimbah Road

This item (Item 14) was discussed at the Local Traffic Committee meeting held 21 August 2002 and is reproduced as follows:-

"Late item. Application received for B-Double use of Ducat Street. The Committee raised concerns with the use of Minjungbal Drive due to traffic congestion already in existence.

Reports from Committees/Working Groups

Legislation does not allow time restrictions to be placed on approvals and even if an individual operator agreed to certain time restrictions the route approval enables any B-Double operator to utilise it once approved. Whilst the proposed use by the Applicant of only one movement at night other operators could take advantage of the approval which is undesirable due to existing congestion in the area. It is considered that the potential impact on traffic flow along Minjungbal Drive and on Kennedy Drive is unacceptable and that the B-Double route approval is in existence only because these roads were previously the Pacific Highway and the approvals not recorded when the Bypass was completed. The Committee considered that an alternative route may be available through Queensland and suggests the applicant pursue this option.

For Council's information."

It was again discussed at the meeting held on 12 December 2002 (Item 14) and is reproduced as follows:-

"A further letter has been received and is tabled for further comment at today's meeting.

The Committee noted that there had been an increase in B-doubles throughout the Shire as well as related accidents.

The Committee did not support the request based on its discussion on the issue at the previous meeting.

For Council's information."

The matter has been referred to the Local Traffic Committee for further consideration and advice as to whether another application for B-Doubles should be submitted.

The Committee noted that restricted hours of access is required between 5:00am to 7:00am and 6:00pm to 11:00pm because of the residential development adjacent to Ducat Street it would not be acceptable to enable these vehicles access to Ducat Street at night.

RECOMMENDATION:

That:-

1. A B-double route be approved on Ducat Street (from Kennedy Drive to Ourimbah Road) and Ourimbah Road provided that:-
2. Sufficient area is leased to enable to manoeuvring of the b-double on site so that it enters and leaves the premises in a forward direction and the applicant supplies documentary evidence in this regard.
3. Restricted hours of operation are between 5:00am to 7:00am and 6:00pm to 11:00pm for B-doubles on Ducat Street and Ourimbah Road.

3. Tweed Valley Way

R4031 Pt 16 – DW918630; Local Area Traffic Management LATM

Brought forward from the meeting held 24 July 2003 (item 3) as follows:-

Reports from Committees/Working Groups

“Various requests received regarding the Gateway Beautification, Speed Limit Reduction, Parking Restrictions and Pedestrian Facilities on Tweed Valley Way.

Mr Upton addressed the meeting at 9:30am.

Mr Upton stated that he represents the view of residents on Tweed Valley Way who are concerned at safety, amenity and environmental issues and that the problems could be lessened with a reduction in the speed limit. Residents believe there is a high safety risk and most accidents are not reportable (being nose to tail incidents). On the 28 June there was a 2 vehicle crash avoiding a pedestrian crossing the road.

Noise pollution is an issue where some of the homes are 5 to 6m from the roadway and noise a major concern and may exceed standards. Mr Upton suggested that a noise test be undertaken.

Amenity issues – Mr Upton stated that this is the only road in the shire with an 80km/h speed limit with houses directly on the road. The 60km/h speed limit on Tweed Valley Way was looked at by them with 60km/h where there are 80 residences. Looked at 60km/h speed limit on Cudgen Road where there are 20 residences yet 100 on Tweed Valley Way on the part in question. There is a 60km/h speed limit also on the commercial section of Tweed Valley Way. Mr Upton noted that all over the state 60km/h in residential areas is normal. The distance between Cane Road and Council offices is identical to using Tweed Valley Way and there is very little difference in time taken between the two. Mr Upton suggested that traffic counts and modelling be undertaken. Zoning and classifications were raised and Mr Upton asked if it was a rural or urban road and believes it is a road in a built up area. The Gateway to the town is sited on this section of road. Noted that the residents pay urban and not rural rates.

Mr Upton noted that there had been a 36% reduction in traffic since the opening of the bypass.

Mr Upton stated that the cost to the motorist is quite small at 11c per vehicle hour based on Qld data. The RTA Representative advised that costs are not a factor in determining speeds.

Mr Upton believes that the 80km/h speed limit is an anomaly in the State. Mr Upton handed out notes for the Committee.

Mr Upton noted that the provision of pedestrian facilities would help the situation. The parking of vehicles on the road is a problem for vehicles exiting their driveways.

Mr Upton left the meeting at 9:50am

The Committee decided that the matter needs further investigation given the detailed submission made and will be brought forward to the next meeting of the Local Traffic Committee including Nlimits Speed Assessment (RTA software for determining speed zones) in line with RTA guidelines.

For Council’s information.”

Brought forward from the meeting held 14 August 2003 (item 3) as follows:-

Reports from Committees/Working Groups

"The Road Safety Officer advised that an 'Nlimits' assessment (RTA software for determining speed zones) had been performed. There are 88 driveways in 1.7km with limited development on the eastern side of the road. The road does not have a significant crash history (2 minor crashes in the last 12 months on the subject section of Tweed Valley). The 85th percentile speed was recorded as 80kph and 81kph northbound and southbound respectively. It was noted that the 'Nlimits' assessment recommended 70kph., however, the 'Nlimits' report also noted that the 85th percentile speed on this section of road was much higher than the proposed speed limit. This indicates that a 70kph speed limit would be difficult to enforce and would not be consistent with the road geometry and roadside environment. The Committee noted that Tumbulgum Road is already used by many motorists to bypass the section of Tweed Valley Way in question carrying 3,200 vehicles per day, well above what would normally be expected on a residential road.. Once in the town area the alignment is worse with narrow "S" bends that already have a crash history significantly higher than the Tweed Valley Way and any increase in traffic utilising this route is likely to have a further adverse impact on road safety. Therefore the argument put forward to share traffic between the two routes is not considered valid based on vastly varying differences in the standards of construction, alignment and function of the roads. The majority of accidents on the Tweed Valley Way have occurred at the intersections at Cane Road and Clothiers Creek Road and this has been addressed recently by extending the 80kph zone approximately 400m north. The Committee noted that the volume of vehicles has dropped significantly since the motorway has opened. The Committee noted that school children crossing the road is a safety issue but consider this to be a safety issue whether the speed limit is 60kph or 100kph as primary school aged children should not be crossing any road without the supervision of a responsible person. A far better solution is for the Department of Transport to authorise a change of school bus route to ensure that all children are picked up and set down on the western side of the Tweed Valley Way, which is mainly where all the residential properties are located. The Committee noted that this issue has already been referred to the Department of Transport however a formal decision has not yet been made. Regardless of the speed zone the Committee still considers this to be the most appropriate solution to the safety of school children and should be further pursued.

Under the RTA Draft Speed Zoning Policy the Committee noted that "On speed-zoned roads, the 85th percentile speed generally aligns with the posted speed limit. However a higher or lower speed limit may be considered when reviewing cases where the 85th percentile speed on a speed-zoned road varies significantly from the posted speed limit." The 80kph speed zone clearly reflects the speed most drivers are comfortable travelling along this section of road and a lower speed limit would likely become an enforcement issue.

Given the following facts:-

- 1. 85th percentile speeds of 81kph and 80kph reflects the current speed zone of 80kph.*
- 2. The Tweed Valley Way is a major road in the Tweed Road Network and was previously the Pacific Highway and has accordingly been designed at a high standard with wide traffic lanes, sealed shoulders and high standard geometry.*

Reports from Committees/Working Groups

3. *The crash history is insignificant along the stretch in question and since the traffic volume has dropped by about 30% a corresponding drop in the crash history has been recorded.*
4. *The issue of school children crossing the Tweed Valley way to catch school buses will not be resolved by lower the speed limit and should be referred to the Department of Transport to modify bus routes to ensure all pick ups and set downs occur on the western side.*
5. *Roadside development is restricted to one side of the road only.*
6. *The current speed zone of 80kph is consistent with the RTA's Draft Speed Zoning Policy*
7. *The subject road was the Pacific Highway until 12 months ago and will always remain a main road. It has been designed and constructed to highway standards and property owners cannot expect the same level of amenity in terms of noise and traffic volumes as local residential streets. This section of road has enjoyed a reduction in traffic volume of 30% or about 6,000 vehicles per day since the new motorway opened which has greatly improved amenity including night time noise reduction.*

The Committee does not support any reduction in the current speed limit.

A copy of the 'Nlimits' report follows at the end of these Minutes.

RECOMMENDATION:

That:-

1. *The speed limit on Tweed Valley Way between Reserve Creek Road and the Murwillumbah Gateway signage remain at 80kph.*
2. *Council writes to the Department of Transport requesting urgent review of the school bus route on the Tweed Valley Way to pick up and drop off school children on the western side."*

This is brought forward for further discussion at today's meeting (18 September 2003). Mr Upton addressed Community Access on 10 September 2003. Please see attached notes.

Mr Upton, accompanied by Brian Tree, Mark Knell and Gary Matthews addressed the meeting at 9:35am

Mr Upton advised that he addressed Council on the 10 September and had put separate proposals to the RTA and Mike Rayner, in particular an email from Mr Upton on the issue of a "package approach" dated 9 September 2003. Mr Upton requested an interchange on the Committee's feelings on the matters proposed. Mr Upton was again advised that the normal procedures were that the Committee listened to the proponents and discusses the matter further later in the meeting.

Mr Upton stated that they would leave the Committee with a list of questions. The Local Neighbourhood Watch is supportive of what is trying to be achieved. Residents have highlighted duty of care of state authorities and they are concerned at treatment of residents of Tweed Valley Way as compared to other residents within the shire. Also concerned regarding safety issues and

Reports from Committees/Working Groups

speeding of vehicles, noise pollution, lack of pedestrian facilities, poor state of road, flooding, irresponsible road user behaviour including road rage, traffic impacts of new industrial estate and cogeneration plant. The Chairman advised that when DA's are lodged they are publicly advertised for public comment and these are not an issue for this Committee, as is flooding of roads. The possible widening of Tweed Valley Way is also a concern raised by the residents.

They are seeking a package of measures to have the speed limit reduced, effective enforcement and re-routing school transport. Noted that 16-20 students get on the bus at one of the stops. Pedestrian facilities is also a concern of the residents. The Chairman advised that a plan had been drawn up for the pedestrian facilities. Mr Upton advised that currently walking was difficult and uneven including open drains. A request for 'modest' pedestrian facilities was made by Mr Upton. The Chairman advised that a footpath on the property side of the road would be highly desirable but currently unfunded. Mr Upton confirmed that he believed residents would support pedestrian facilities on the property side.

Noise reduction treatment was raised by Mr Upton and suggested that deformed areas could be assessed and fixed.

Requested that direct resident involvement with the Local Traffic Committee and Council on these issues be ongoing.

The Chairman advised that the old highway (Pacific Highway) carried 18,000 vpd and now carries just under 12,000 vpd. and also advised that as far as he is aware there are no plans to upgrade to 4 lanes in the near future. It should also be noted that this road is a major road link and always has been, and will carry higher volumes of traffic than other roads.

Mr Matthews advised that other towns in NSW were mentioned that have 60kph speed zones in similar urban areas.

Mr Upton advised that a quantitative analysis should be performed and all considerations should be taken into account. The residents state that as it was formerly the Pacific Highway the argument that it should remain at 80kph is unfounded. They believe that there are no other towns where the speed limit going into towns along the Pacific Highway has 80kph.

The Roads & Traffic Authority Representative stated that roadside development is always an issue in the setting of speed limits.

Mr Upton stated that 100 people going into and getting out of their property is an every day issue.

The Roads & Traffic Authority Representative advised that a fundamental of setting speed limits is setting speed limits at what people are expecting to travel at. Mr Upton would like confirming the higher the 85th percentile then the higher the speed limit.

Mr Matthews advised that there is an increase in speed because of the reduced number of vehicles using the road, however the traffic speed survey does not reflect this perception.

Mr Upton advised that there are a number of innovative ways that could be started to ensure things happen to help the problems. Mr Upton advised that trucks are driving over 80kph and when you slow down to turn into your driveway, road rage is experienced on a regular basis.

Mr Upton suggested that if Tumbulgum Road was a problem for diversionary traffic then maybe the speed limit on Tumbulgum Road should be reduce to 50kph.

Reports from Committees/Working Groups

Mr Upton advised that if the speed limit is reduced, with enforcement and adequate signage it would be a start. Further representations would then be made to NSW State Government level. Mr Upton also requested that the email be sought from Mike Rayner in relation to the "package" for the Committee's consideration.

Mr Upton handed out a questionnaire that the residents would like addressing.

Messrs Upton, Matthews, Tree & Knell left the meeting at 10:36am.

The Committee noted the concerns of the residents and generally considered the previous Committee minutes addressed the relevant issues raised. However, after lengthy discussion and a review of the RTA Speed Zoning Policy and the N Limits Program results the Committee agreed that a 70kph speed limit be installed on Tweed Valley Way.

RECOMMENDATION:

That the 80kph zone on Tweed Valley Way be changed between the Murwillumbah Gateway sign and the existing 80/60kph boundary to 70kph north of Reserve Creek Road.

15. Terranora Road, Terranora

R5431 Pt5 DW644184; 948163; Terranora Road

Previously discussed at the Local Traffic Committee meeting held on 27 April 2000 (item 15). The item is reproduced as follows:-

"Request received for the provision of a guardrail on Terranora Road. Letter received from concerned residents of Parkes Lane regarding a vehicle that was forced off Terranora Road and down a steep embankment towards a house situated at 15 Parkes Lane on the 20 April 2000. It is reported that the vehicle was restrained from rolling over and crashing into the house by a remaining single strand of barbed wire and the vehicle had to be roped to a tree in case the wire gave way. The accident occurred on a narrow curved section of Terranora Road with a cutting on the inside of the curve and drop-off on the outside of the curve towards the residence of 15 Parkes Lane and other residences. The accident was attended by Police.

A resident states that the edge of bitumen is only 600mm from the drop-off giving drivers very little chance of recovery if, as in the case above, they are forced to leave the bitumen.

Residents are concerned at the possible consequences of a heavier vehicle crashing over the embankment and state that requests have previously been forwarded to Council for guardrails.

The RTA Representative stated that there is a procedure to assess if the use of guardrails is warranted. This involves the 85th percentile speed assessments. The Chairman requested that the RTA Representative assist with this assessment. The RTA Representative stated that the guidelines can be found in the RTA Road Design Guide.

Mr Newell, MP left the meeting at 11.00 am.

Reports from Committees/Working Groups

RECOMMENDATION:

That Council and RTA staff undertake an assessment in accordance with the RTA Road Design Guide for Installation of Guardrails near the rear boundary of 15 Parkes Lane on Terranora Road."

Since the above meeting the Maintenance Engineer advises as follows:-

"The LTC previously resolved that a risk assessment of this request be carried out by Council in conjunction with RTA. I have attempted an assessment using the RTA's new Safety Barriers guide which I have attached to the hard copy file. As I have had no training in the use of this guide I certainly do not consider myself fully competent to carry out such assessments at this stage. In accordance with the LTC resolution it is strongly suggested that my assessment be referred to the RTA rep of the committee for checking and that the LTC then make a recommendation.

I have a few concerns about the assessment procedure of the guide which I'd like commented on by the RTA rep. Firstly, the guide only refers to DESIGN speed of the road rather than LEGAL SPEED LIMIT. Due to this corner's radius being suitable for a design speed of 80kph the values in the assessment are greater than what they would be for 60kph. Obviously the risk and severity of consequence of leaving the road in a 60kph area is less than travelling at 80kph but this does not appear to have been allowed for. The guide to me seems more relevant for derestricted speed zones. As you would be aware the likelihood of needing guardrail on most of our rural roads is greater than our urbans. Secondly, and probably more relevant to this request, how does the use of this guide relate to the risk of property damage from a car leaving the road and entering someones property as opposed to the risk of damage to the vehicle itself?"

From the meeting held 15 February, 2002 the following was discussed:-

"A further request has been received relating to a request for a guard rail on Terranora Road for no. 15 Parkes Lane, Terranora. Recently it has been reported that two further accidents have occurred in Terranora Road (in light rain). In both cases cars went down an embankment, one very close to a house. No. 15 Parkes Lane is on the downside of an outside curve in the road and the owner is requesting an inspection of the site.

The RTA Representative advised the Committee of the risk analysis process and stated that he could be contacted to assist Council's Maintenance Engineer in the process.

For Council's information."

Brought forward for further discussion 18 September, 1993.

The Committee noted advice that this item is listed on the Works Program subject to funding.

For Council's information.

Reports from Committees/Working Groups

8. Boyd Street, Tweed Heads

R0700 Pt1; DW938224; Pedestrian Crossings

Brought forward from meeting held 14 August 2003 (item 8) and reproduced as follows:-

"Request received for the installation of a pedestrian refuge on Boyd Street between Florence and Brett Streets as there are many elderly residents in the vicinity who find it difficult to cross Boyd Street as traffic appears to drive more quickly at this location.

The Committee noted that the request to install a mid block refuge in accordance with appropriate standards would eliminate approximately 70m of parking on each side of Boyd Street.. The Committee also noted that there is a pedestrian refuge at Brett Street where traffic speeds are significantly lower to negotiate the new roundabout. Otherwise pedestrians can cross Boyd Street at the intersection of Florence Street, again where traffic speeds are lower.

For Council's information."

Pedestrian counts were noted as follows:-

Morning peak: 38 pedestrians, 285 vehicles southbound, 325 vehicles northbound.

Afternoon peak: 60 pedestrians, 383 vehicles southbound, 289 vehicles northbound.

The Committee noted that there was not a concentrated area of pedestrian activity as people crossed wherever they parked and that these counts do not meet pedestrian crossing warrants.

The Committee requested pedestrian blisters 'mid block' be reviewed in the PAMP program noting that on street parking would be affected if proceeded with.

For Council's information.

GENERAL BUSINESS:

Part A

1. Buchan Avenue, Tweed Heads

R0830 Pt1; DW940347; Parking Zones; Buchan Avenue

Request received regarding parked vehicles in Buchan Avenue. It has been suggested that parking should only be allowed on one side of Buchan Avenue as the road is not wide enough to accommodate parking on both sides.

To be deferred until the Hospital parking area is opened and then reassess the issue.

For Council's information.

Reports from Committees/Working Groups

2. Clothiers Creek Road

R1160 Pt7; DW940105; Traffic - Speed Zones; Clothiers Creek Road

Request received for assessment of the speed limit on Clothiers Creek Road in the vicinity of property no. 781. Tractors and other slow moving machinery use the road on a daily basis and are finding that the speed of traffic is becoming a problem together with difficult visibility west of the property entrance.

The Committee noted that the speed limit on Clothiers Creek Road is already 80kph and provided machinery is properly registered for use on public roads and use of the machinery complies with the road rules the owner is entitled to use the road however an isolated reduced speed limit for such a situation is not possible.

For Council's information.

3. Brett Street, Tweed Heads

R0740 Pt2; DW940457; Traffic - Parking Zones; Brett Street

Request received for the installation of 'No Parking' signs in Brett Street, prohibiting parking either side of the carriageway to the Tweed Heads Bowls Club and Southern Cross University parking areas. It is reported that large delivery vans, trucks and buses use the carriageway frequently and complaints have been received regarding difficulties trying to enter or exit the Club's access due to the close proximity of parked vehicles on Brett Street.

From the information provided it appears the driveway is not adequate for the vehicles using it.

The Committee did not support provision of 'No Parking' signs however recommended that Council's driveway inspector be asked to advise the Club on how the driveway can be upgraded to provide the required access.

For Council's information.

4. Nobbys Creek Road & Blackwoods Road, Boatharbour

R3710 Pt1; R0560 Pt1; Local Traffic Committee; Blackwoods Road; Nobbys Creek Road

Request received for removal of the 'Give Way' sign on Nobby's Creek Road at the intersection with Blackwoods Road. Now that Numinbah Road no longer runs past the intersections with Nobby's Creek Road and Blackwoods Road the 'Give Way' sign should be removed. The Committee endorsed this request.

RECOMMENDATION:

That the 'Give Way' sign on Nobby's Creek Road at the intersection with Blackwoods Road be removed.

Reports from Committees/Working Groups

5. Bilambil Road, Bilambil

**R0530 Pt2; DW944891; 944883; 944890; 944889, 944888, 944887, 944886, 944885, 944884
Traffic - Speed Zones; Bilambil Road**

Petition received regarding a request for a reduction in the speed limit on the 100km/h section of Bilambil Road west from Beltona Drive.

Traffic counts show the 85th percentile as 87kph. Volumes for 7 days are 1,279 vehicles. Accident history is limited. However given the 85th percentile speed and the relatively short length of 100kph zone (approx 1.5km) the Committee supports a reduction to 80kph which complies with the RTA Speed Zoning Policy.

RECOMMENDATION:

That the speed limit on Bilambil Road between Bilambil Road West and Beltona Drive be reduced to 80kph.

6. Minnows Road & Fernvale Road, Fernvale

R3480 Pt1; R2040 Pt1; Local Traffic Committee; Minnows Road; Fernvale Road

Now that this intersection has been reconstructed there is a request for the Traffic Committee to re-visit the 'Give Way' restriction on Minnows Road as it would appear Minnows Road now has through access. The Committee noted this is a minor intersection with low traffic volumes and no accident or complaint history and therefore did not support any alterations at this time.

For Council's information.

7. Chinderah Bay Drive and Waugh Street B Double Routes

R1071 Pt3; R5860 Pt1; B-Doubles; Chinderah Bay Drive; Waugh Street; DW948164

Request received from for authorisation of B Double routes along Chinderah Bay Drive / Fingal Bay off ramp and Waugh Street / Chinderah Bay Drive to Motorway.

The Traffic Committee agreed that the B-double route be extended for another 5 years. The applicants be advised that Chinderah Road south of Waugh Street is not a B-double route and will be enforced.

RECOMMENDATION:

That the B-double route along Chinderah Bay Drive from Fingal Road to Waugh Street, Fingal Bay off ramp to Chinderah Bay Drive and Waugh Street be approved and extended for another 5 years.

Reports from Committees/Working Groups

8. Piggabeen Road, Tweed Heads West

R4300 Pt8; Traffic - Speeding

Petition received for effective enforcement of speeding vehicles on Piggabeen Road between Anconia Avenue and Carramar Drive. It is claimed that vehicles travel at 80 - 100kph in the 50kph speed zone.

The Committee noted that the Commander of Police had also received representation on this matter and referred it to the Police for enforcement.

For Council's information.

9. Tweed Coast Road, Pottsville

DW945063; Traffic - School Zones; R1181 Pt13

Request received for the installation of a Children's Crossing on Tweed Coast Road south of the Pottsville Primary School at the existing pedestrian refuge.

The Committee agreed to the installation of a Children's Crossing on Tweed Coast Road south of the Pottsville Primary School at the existing pedestrian refuge and noted the support of the School Principal.

RECOMMENDATION:

That the installation of a Children's Crossing on Tweed Coast Road south of the Pottsville Primary School at the existing pedestrian refuge be implemented.

10. Sunshine Avenue, Tweed Heads South

R5320 Pt1; Traffic - School Zones; DW949961

Request received for Local Traffic Committee advice in relation to the safe pick up and drop off of school children at Lindisfarne Anglican School on Sunshine Avenue.

The Committee noted that the School is currently investigating increasing car parking in Sullivan Street which may be able to be utilised for the pre-school subject to Council's approval. The provision of double centre lines and edge lines will be investigated and installed if feasible.

For Council's information.

11. Chinderah Bay Drive and Waugh Street B Double Routes

R1071 Pt3; R5860 Pt1; B-Doubles; Chinderah Bay Drive; Waugh Street; DW944345

Request received from for renewal of B Double Notice No. 5/1999. This involves B Doubles travelling on the following currently gazetted routes: Chinderah Bay Drive, starting Fingal Road off ramp (also known as Tweed coast Way) to the BP (700 metres) to Waugh Street (1.2km) for southbound journeys and access to Chinderah Bay Drive from the pacific Highway Motorway exit to the BP service station (2.4km) and back to Waugh Street (northbound journey).

Reports from Committees/Working Groups

The Traffic Committee agreed that the B-double route be extended for another 5 years. The applicants be advised that Chinderah Road south of Waugh Street is not a B-double route and will be enforced.

RECOMMENDATION:

That the B-double route along Chinderah Bay Drive from Fingal Road to Waugh Street, Fingal Bay off ramp to Chinderah Bay Drive and Waugh Street be approved and extended for another 5 years.

12. Kiora Street, Banora Point

R2905 Pt1; DW949262; Kiora Street; Traffic - Linemarking

Request received for a "No Standing" zone on the crest of the hill on Kiora Street between Terranora Road and Pioneer Parade/Curtawilla Street or the painting of double centre lines. Cars are parked on both sides of the road on the crest of the hill. Speeding is also an issue at this location. The Committee considers that double centrelines would be more appropriate than "No Parking" signage, given the issue of the crest.

RECOMMENDATION:

That double centre lines be installed on Kiora Street Banora Point on the crest of the hill.

13. Gollan Drive, Tweed Heads West

R2270 Pt 1; Traffic - Linemarking; Gollan Drive

Request received for changes to the linemarking on Gollan Drive between Cobaki Bridge and Scenic Drive to provide a "seagull" type intersection with protected right turn in and out lanes.

The Chairman advised that complaints are being received of people not being able to turn right out of Gollan Drive. The dual lanes serve little purpose other than encouraging overtaking as only one lane exists at Scenic Drive and on Cobaki Bridge.

RECOMMENDATION:

That the lanes on Gollan Drive be reconfigured to one lane for the section of dual lanes heading east be reduced to one lane between Scenic Drive and Cobaki Bridge. The work will include painted seagull treatments at Lakes Drive and Gollan Drive and Gollan Drive with Scenic Drive.

14. Pacific Highway Sexton Hill

R4031 Pt17; Pacific Highway - Down Centre

The Committee agreed that the RTA Representative be requested to investigate the installation of signage north and southbound on Sexton Hill banning trucks from using the centre lane similar to the signage on the F3. Trucks using both lanes are causing extensive delays due to their slow acceleration.

Reports from Committees/Working Groups

RECOMMENDATION:

That the Roads & Traffic Authority Representative be requested to pursue the installation of signage north and southbound on Sexton Hill banning trucks from using the centre lane.

15. Wharf Street, Tweed Heads

R5901 Pt 1; Traffic - Parking Zones

There are two driveways at the Planning NSW office. A request has been received for a 'No Parking' zone between the two driveways. The Committee supported this request.

RECOMMENDATION:

That 'No Parking' signage be installed between the two driveways at the Planning NSW office in Wharf Street, Tweed Heads.

Part B

1. Chinderah Bay Drive Marina

DA03/0922 Pt1; Local Traffic Committee; LN22470

Request received for Local Traffic Committee advice in relation to the provisions of Schedule 2 of SEPP 11 in relation to the proposed marina at Chinderah Bay Drive and the inclusion of a 130 space car park at 121 River Street.

The Committee considered that the location of the long term car park means it is unlikely to be used. The Committee believes that Chinderah Road south requires kerb and guttering to regulate parallel parking and time restrictions would be required to prevent long term parking at this location and encourage use of the formal car park. The Committee also noted the need for the continuation of the footway / cycleway from the existing approval to the extent of the new proposal.

The Committee agreed that the traffic generated by the development can be accommodated on the surrounding road network.

For Council's information.

2. Machinery Drive, Tweed Heads South

DA03/1172 Pt1; Local Traffic Committee; LN409

Request received for Local Traffic Committee advice under Schedule Two of SEPP-11 in relation to an application for a supermarket at 9-11 Machinery Drive, Tweed Heads South as the shop exceeds 500m² in floor area.

The Committee noted that the delivery dock should be separate from the car park to comply with Australian Standards however if deliveries are restricted to one truck per day or at night time the arrangement may be adequate.

Reports from Committees/Working Groups

The proposed access design was considered to be appropriate subject to detailed design complying with relevant design standards.

The impact of the development on traffic volumes on Machinery Drive was considered to be acceptable in terms of the total daily volumes.

It was also noted that the driveway needs to be widened to comply with Council's standards for an industrial driveway.

For Council's information.

3. Pandanus Parade, Cabarita Beach

DA03/1221 Pt 2; Local Traffic Committee; LN 13028

An application for tourist accommodation and commercial development has been received for Lot 1 DP 247808 Pandanus Parade, Cabarita Beach. The proposal falls under Schedule Two of SEPP 11 as the development has more than 50 car parking spaces.

The Committee was of the opinion that the plans lacked detail and it could not be determined where the car park access was located in terms of the road network or how delivery vehicles would service the site.

Details should be provided of exactly how the development is to be serviced in terms of delivery vehicles given that DCP No 2 and Australian Standards require on site loading facilities.

For Council's information.

NEXT MEETING:

The next meeting is scheduled for Thursday 16 October, 2003.

The meeting closed at 12:30pm

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| Director's Comments: |
|-----------------------------|

NIL

[document8]

DIRECTOR'S RECOMMENDATIONS:

4. Village of Kunghur (Kyogle Road)

R0715; Local Area Traffic Management LATM; Traffic - Speed Zones; R2960 Pt9; Kyogle Road

Committee Recommendation:

That a 70kph zone be installed on Kyogle Road at Kunghur from the bridge on the western edge of the village for a distance of 800m.

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| Director's Recommendation: |
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As per the Committee's Recommendation

Reports from Committees/Working Groups

12. Smiths Creek Road, Uki

R5100 Pt2; Traffic - Speed Zones; Smiths Creek Road

Committee Recommendation:

That a 70kph speed zone be installed on Smiths Creek Road from the existing 60kph zone to 100m south west of Clareville Road.

Director's Recommendation:

As per the Committee's Recommendation

2. Boyd Street

R0700 Pt2; DW923590; Parking Zones; Boyd Street

Committee Recommendation:

That 2 hour parking be installed on both sides of Boyd Street between Brett and Florence Streets between the hours of 8:00am and 5:00pm Monday to Friday and 8:30am to 12:30pm Saturday.

Director's Recommendation:

As per the Committee's Recommendation

14. Ourimbah Road, Tweed Heads West

R3970 Pt2; B-Doubles; Ducat Street; Kennedy Drive; Ourimbah Road

Committee Recommendation:

That:-

1. A B-double route be approved on Ducat Street (from Kennedy Drive to Ourimbah Road) and Ourimbah Road provided that:-
2. Sufficient area is leased to enable to manoeuvring of the b-double on site so that it enters and leaves the premises in a forward direction and the applicant supplies documentary evidence in this regard.
3. Restricted hours of operation are between 5:00am to 7:00am and 6:00pm to 11:00pm for B-doubles on Ducat Street and Ourimbah Road.

Director's Recommendation:

As per the Committee's Recommendation

3. Tweed Valley Way

R4031 Pt 16 – DW918630; Local Area Traffic Management LATM

Committee Recommendation:

That the 80kph zone on Tweed Valley Way be changed between the Murwillumbah Gateway sign and the existing 80/60kph boundary to 70kph north of Reserve Creek Road.

Director's Recommendation:

As per the Committee's Recommendation

Reports from Committees/Working Groups

4. Nobbys Creek Road & Blackwoods Road, Boatharbour

R3710 Pt1; R0560 Pt1; Local Traffic Committee; Blackwoods Road; Nobbys Creek Road

Committee Recommendation:

That the 'Give Way' sign on Nobby's Creek Road at the intersection with Blackwoods Road be removed.

Director's Recommendation:

As per the Committee's Recommendation

5. Bilambil Road, Bilambil

**R0530 Pt2; DW944891; 944883; 944890; 944889, 944888, 944887, 944886, 944885, 944884
Traffic - Speed Zones; Bilambil Road**

Committee Recommendation:

That the speed limit on Bilambil Road between Bilambil Road West and Beltona Drive be reduced to 80kph.

Director's Recommendation:

As per the Committee's Recommendation

7. Chinderah Bay Drive and Waugh Street B Double Routes

R1071 Pt3; R5860 Pt1; B-Doubles; Chinderah Bay Drive; Waugh Street; DW948164

Committee Recommendation:

That the B-double route along Chinderah Bay Drive from Fingal Road to Waugh Street, Fingal Bay off ramp to Chinderah Bay Drive and Waugh Street be approved and extended for another 5 years.

Director's Recommendation:

As per the Committee's Recommendation

9. Tweed Coast Road, Pottsville

DW945063; Traffic - School Zones; R1181 Pt13

Committee Recommendation:

That the installation of a Children's Crossing on Tweed Coast Road south of the Pottsville Primary School at the existing pedestrian refuge be implemented.

Director's Recommendation:

As per the Committee's Recommendation

11. Chinderah Bay Drive and Waugh Street B Double Routes

R1071 Pt3; R5860 Pt1; B-Doubles; Chinderah Bay Drive; Waugh Street; DW944345

Committee Recommendation:

That the B-double route along Chinderah Bay Drive from Fingal Road to Waugh Street, Fingal Bay off ramp to Chinderah Bay Drive and Waugh Street be approved and extended for another 5 years.

Reports from Committees/Working Groups

Director's Recommendation:

As per the Committee's Recommendation

12. Kiora Street, Banora Point

R2905 Pt1; DW949262; Kiora Street; Traffic - Linemarking

Committee Recommendation:

That double centre lines be installed on Kiora Street Banora Point on the crest of the hill.

Director's Recommendation:

As per the Committee's Recommendation

13. Gollan Drive, Tweed Heads West

R2270 Pt 1; Traffic - Linemarking; Gollan Drive

Committee Recommendation:

That the lanes on Gollan Drive be reconfigured to one lane for the section of dual lanes heading east be reduced to one lane between Scenic Drive and Cobaki Bridge. The work will include painted seagull treatments at Lakes Drive and Gollan Drive and Gollan Drive with Scenic Drive.

Director's Recommendation:

As per the Committee's Recommendation

14. Pacific Highway Sexton Hill

R4031 Pt17; Pacific Highway - Down Centre

Committee Recommendation:

That the Roads & Traffic Authority Representative be requested to pursue the installation of signage north and southbound on Sexton Hill banning trucks from using the centre lane.

Director's Recommendation:

As per the Committee's Recommendation

15. Wharf Street, Tweed Heads

R5901 Pt 1; Traffic - Parking Zones

Committee Recommendation:

That 'No Parking' signage be installed between the two driveways at the Planning NSW office in Wharf Street, Tweed Heads.

Director's Recommendation:

As per the Committee's Recommendation

Reports from Committees/Working Groups

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

- 4. Minutes of the Ordinary Meeting of NOROC held on Friday 20 June 2003.**
 - 5. Minutes of the NOROC Executive Meeting held on Thursday 17 July 2003.**
 - 6. Minutes of the Meeting of NOROC Natural Resource Management & Planning Committee held on Thursday 14 August 2003.**
 - 7. Minutes of the NOROC Regional Economic Development Committee Meeting held on Thursday 14 August 2003.**
 - 8. Minutes of the NOROC Executive Meeting held on Tuesday 26 August 2003.**
 - 9. Minutes of the Tweed Shire Council Occupational Health & Safety Committee held on Thursday 11 September 2003.**
 - 10. Minutes of the Joint Tourism Committee Meeting held on Monday 15 September 2003.**
 - 11. Minutes of the Regional Companion Animal Committee Meeting held on Thursday 18 September 2003.**
 - 12. Minutes of the Sports Advisory Committee Meeting held Tuesday 16 September 2003.**
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Orders of the Day

1. Notice of Motion - Cr Boyd

Terranora Village

PF5430/1590 Pt2; LN 36895; Notice of Motion

That Council staff brings forward a report which:

- a) covers the time that has elapsed since the approval was given for the neighbourhood shopping centre in the Terranora Village; and
 - b) what action is recommended to be taken to secure its completed.
-

2. Notice of Motion - Cr Boyd

Industrial Subdivision at Tringa Street, West Tweed Heads

GS4/96/49 Pt 3; Subdivision Application Correspondence; Notice of Motion

That staff furnish a report which details the sequence of events surrounding the commencement of construction of the access road to the industrial land off Tringa Street and which includes:-

- i) The date when staff first became aware of this activity;
 - ii) What action was taken by staff following discovery?
 - iii) An explanation as to why no action was apparently taken to recommend that legal proceedings should be commenced.
-

3. Notice of Motion - Cr Luff

Industrial Land Adjacent Cobaki Creek

Industrial Land Investigation; Notice of Motion

That Council arranges a public meeting to provide information on the parcel of industrial land which adjoins Cobaki Creek, and is between Kennedy Drive and the Airport land. Council will particularly invite the landowner or representative to attend, and residents of Tringa, Gray and other nearby streets.

Orders of the Day

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