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SCHEDULE OF OUTSTANDING RESOLUTIONS

Schedule of Outstanding Resolutions

FOR COUNCILLOR'S INFORMATION:

17 March 2004

REPORT FROM DIRECTOR ENGINEERING SERVICES

21 [ES] Proposed Water Reservoirs Adjacent to Koala Beach Estate

202

Councillor H James

Councillor B M Luff

RESOLVED that Council investigates the further option of constructing the proposed Reservoir at a location on the Mooball-Pottsville Road.

Current Status: Reassessing technical aspects including alternative sites.

5 May 2004

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

Minutes of the Aboriginal Advisory Committee Meeting held Thursday 1 April 2004

[MOS] 4. Far Western Tugun Bypass Route

Councillor M R Boyd

Councillor R D Brinsmead

RESOLVED that an invitation be extended to Mr George Beattie and Mr Bruce Campbell to address a Community Access meeting of Council.

Current Status: To be arranged.

16 June 2004

[ID] [DS] Draft Development Control Plan No. 5 - Development of Flood Liable Land

This item was noted and will continue to be deferred subject to a Workshop on 14 July 2004.

Current Status: Item to be resubmitted to Council Meeting of 21 July 2004.

REPORT FROM DIRECTOR PLANNING & ENVIRONMENT

8 [DS] Draft Development Control Plan No 50 - Bogangar/Cabarita Beach Locality Plan

432

Councillor M R Boyd

Councillor S M Dale

RESOLVED that this item be deferred.

Current Status: Meeting to be arranged.

1 [DS] Application to Modify Development Consent 98/79 Involving Unauthorised Enclosing of Ground Floor of Dwelling in a Flood Prone Area

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

C 92 AMENDMENT

That:-

1. This matter be deferred to allow Councillors to make an inspection of the premises.
2. Council re-considers this issue upon completion of the workshop on DCP No 5 which is scheduled to be held on 14 July 2004.

Current Status: Item to be resubmitted to Council Meeting of 21 July 2004.

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MAYORAL MINUTE

Mayoral Minute

Councillors,

1. Eden Street Tweed Heads

17 June – on site inspection at 13 Eden Street Tweed Heads

2. Nor Nor East Kingscliff

17 June – Media photoshoot on site Nor Nor East Development Kingscliff

3. Bilambil Tennis Club

17 June – on site inspection Bilambil Tennis Complex

4. Country Energy

18 June – meeting with representatives from Country Energy to discuss sub transmission stations in the Shire

5. Tweed Bowls Club

18 June – attended “Evening with Alan Jones”

6. Rotary Club of Mt. Warning AM

19 June – Rotary Club of Mt. Warning AM Changeover Lunch at Duranbah

7. St. Joseph’s College

19 June – St. Joseph’s College Deb Ball at Coolangatta/Tweed Golf Club

8. Lindisfarne Anglican School

20 June – Thanksgiving and Farewell Service to Canon Peta Smith at Terranora

9. Northern Rivers Regional Arts Committee

21 June – attended meeting of Northern Rivers Regional Arts Committee at Kyogle

10. Kingscliff Chamber of Commerce

21 June – attended meeting of Kingscliff Chamber of Commerce

11. Multicap

22 June – met with Stephen Horton, CEO of Multicap

12. Murwillumbah Lions Club

22 June Murwillumbah Lions Changeover Dinner

13. Twin Towns Friends Association

23 June – Twin Towns Friends Association Volunteer Awards at South Tweed Heads

14. TACTIC

23 June – met with representatives of TACTIC at THCC

15. Murwillumbah Chamber of Commerce

23 June – Murwillumbah Chamber of Commerce AGM

16. Association of Independent Retirees

24 June – addressed the meeting of the Association of Independent Retirees at Tweed Heads

17. Southern Cross University

24 June – with the General Manager and Director of Environment & Community Services met with representatives of Southern Cross University at Tweed Campus

18. Kingscliff Lions Club

24 June – Kingscliff Lions Club Changeover Dinner

19. TEDC

25 June – attended TEDC Board Meeting in Murwillumbah

20. NAIDOC

25 June - attended NAIDOC Celebrations at Fingal Beach

21. Tweed Chambers of Commerce

25 June – attended Business Excellence (BEX) Awards at Tweed Heads

22. Tweed Rotary

27 June – attended Tweed Rotary Changeover Lunch at Club Banora

23. Rotary of Murwillumbah

28 June – Rotary of Murwillumbah Changeover Dinner

24. Ex-Servicemen's Reunion

30 June – welcomed attendees to Annual Ex-servicemen's Reunion at Twin Towns

25. Woodland Lakeside College

30 June – attended concert at Woodland Lakeside College

26. Tweed Futures

1 July – Tweed Futures Steering Committee Meeting at Tweed Heads

27. Murwillumbah High School

2 July – Murwillumbah High School 75th Anniversary Celebrations

28. Rotary Tweed Heads

2 July – Rotary Tweed Heads Changeover Dinner

29. Kingscliff Soccer Club

3 July – Kingscliff Soccer Club Seminar

30. Tweed Theatre Company

3 July – attend performance of Tweed Theatre Company “Pirates of Tweed” at Tweed Heads

31. Business Excellence

6 July – Tweed Excellence Breakfast at Tweed Heads

32. Coolangatta/Tweed Lions Club

6 July – Coolangatta/Tweed Lions Changeover Dinner at Coolangatta

33. Madura Tea

7 July – meeting on site (with Marilyn Smith) at Madura Tea Plantation

34. TACTIC

Cr. John Murray has tendered his resignation from TACTIC. Nominations are now being sought for a new member of Council to go on the TACTIC Board.

35. Twin Towns Friends Association

Council support is sought for a \$2,000 donation from the 2004-5 Budget for the Twin Towns Friends Association.

36. Lot 490 Steering Committee

Advice has been received from the Administrator of Lot 490, Richard Dunning, for Council to appoint two representatives to the Steering Committee associated with 'Lot 490' at South Kingscliff. Senior Council Officer will be Noel Hodges and Council is required to nominate an elected member to also be on that Committee. I, Cr. Warren Polglase, hereby put my name forward as a nominee for this position.

INVITATIONS ACCEPTED:

- 9-15 July (incl) attending National Roads Congress in Adelaide
- 14 July Deputy Mayor Cr. Lynne Beck to greet 32 students of Japanese Study Tour Group at Murwillumbah
- 20 July Sports Advisory Committee Meeting

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

- Dept. State & Regional Development "Northern Region Community Economic Development (CED) Forum **21/22 July** at Grafton
 - Australian Sister Cities Association 2004 Conference **1-4 August** at Australis Noosa Lakes Conference & Exhibition Centre
 - LGSA Water Management Conference **10-12 August** at Moama Victoria
 - Riverfestival 7th International Riversymposium **31 August-3 September** in Brisbane
-

ABSENCES FROM SHIRE BY EXECUTIVE, AND COUNCILLORS:

EXECUTIVE

Name	From	To	Location	Details
DEC	19 July 2004	20 July 2004	Sydney	AIBS State Conference
DEC	22 July 2004	22 July 2004	Lismore	CMA/Local Government Workshop
DEO	7 July 2004	9 July 2004	Sydney	Dept of Commerce Forum & Water Directorate Meetings

Name	From	To	Location	Details
DEO	7 July 2004	9 July 2004	Sydney	Dept of Commerce & Water Directorate Meetings
GM	5 July 2004		To be Advised	Sub-Regional GMs Group Meeting
GM	11 July 2004	13 July 2004	Barossa Valley	2004 National Local Roads Congress
GM	23 July 2004		Dubbo	LGMA Board Meeting

COUNCILLORS

Name	From	To	Location	Details
W. Polglase	9/7/04	15/7/04	Adelaide	Roads Congress
B. Bell	9/7/04	15/7/04	Adelaide	Roads Congress

ITEMS DEFERRED

[ID] [DS] Development Application DA03/1038 for a 7 Lot Subdivision at Lot 121 DP 755701, No 50 Chinderah Bay Drive, Chinderah

ITEM DEFERRED FROM MEETING HELD:

19 May 2004

308

Councillor R D Brinsmead

Councillor G B Bell

RESOLVED that this item be deferred to allow landowners to further address the concerns outlined in the report with Development Staff.

THIS ITEM IS THE SUBJECT OF A FURTHER REPORT AT ITEM 1, REPORTS FROM DIRECTOR PLANNING AND ENVIRONMENT, CONTAINED IN THIS AGENDA.

ORIGIN:

Development Assessment

FILE NO: DA03/1038 Pt1

SUMMARY OF REPORT:

Council is in receipt of a development application for a seven (7) lot subdivision of the subject land. The subject land is zoned 2(a) Low Density Residential under the Tweed Local Environmental Plan 2000. The subject land is also identified as being Flood affected and as such the provisions of Development Control Plan No. 5 - Flood Liable Land need to be satisfied.

Council's Manager of the Water Unit has advised that the proposed subdivision does not satisfy the requirements in relation to residential development on flood liable land. The applicant has not demonstrated that the proposal is outside the extreme hazard zone. The information provided indicates that the ground levels are in the vicinity of RL 1.0m AHD. The Design Flood Level for this location is RL 3.3m AHD.

Council's Development Engineer has advised that the proposed subdivision does not meet the requirements of Development Control Plan No.16 - Subdivision Manual in relation to the number of allotments that will gain access from a Right of Way. Council's Policy states a maximum of five lots may be accessed by a right of way, rather than the proposed seven lots.

The above two points have raised concern with Council's Engineers in relation to the proposed development and as such the subdivision on the flood plain is not considered warranted.

RECOMMENDATION:

That Development Application DA03/1038 for a 7 lot subdivision at Lot 121 DP 755701, No. 50 Chinderah Bay Drive, Chinderah be refused for the following reasons: -

1. The subdivision proposal has not demonstrated that the subject land is outside the extreme flood hazard zone as defined by the Cameron McNamara Report dated September 1984 and as such has not been able to satisfy the requirements of Development Control Plan No.5 - Flood Liable Land.
2. The proposed subdivision does not adequately satisfy the matters contained in Clause 34 - Flooding of the Tweed Local Environmental Plan 2000.
3. The subdivision proposal is unacceptable in its design with seven lots accessing from a right of way and as such does not satisfy the requirements of Development Control Plan No.16 - Subdivision Manual.
4. The subdivision proposal and resultant fill of the site is considered to result in on flow stormwater impacts that will result in an unacceptable cumulative impact. Inadequate information has been provided in relation to the impacts from filling of the land to assess this issue.
5. The proposed subdivision is not considered to be in the general public interest as it is inappropriate development of the flood plain.

REPORT:

Applicant: Chris Lonergan & Associates Planning Consultants
Owner: Geographe Point Pty Ltd and Rivercolt Pty Ltd
Location: Lot 121 DP 755701, No. 50 Chinderah Bay Drive, Chinderah
Zoning: 2(a) Low Density Residential
Cost: \$400,000.00

BACKGROUND:

Council is in receipt of a development application for a seven lot subdivision of the subject land. The subject land is a parcel with an area of 9662m² and is in the 2(a) Low Density Residential zone. Chinderah has a number of larger parcels of land in the 2(a) Low Density Residential zone, however these have not been subdivided historically due to the impacts of flooding in Chinderah.

Development Control Plan No. 5 - Flood Liable Land is applicable to the subject land as it is flood liable. Chinderah experiences inundation as a consequence of river flooding. The adopted design flood level for Chinderah is 3.30m AHD and as such the adopted minimum floor level for residential development is 3.60m AHD.

Council's Engineering Services Division has assessed the suitability of the subject land for the proposal and conclude the proposal cannot be supported.

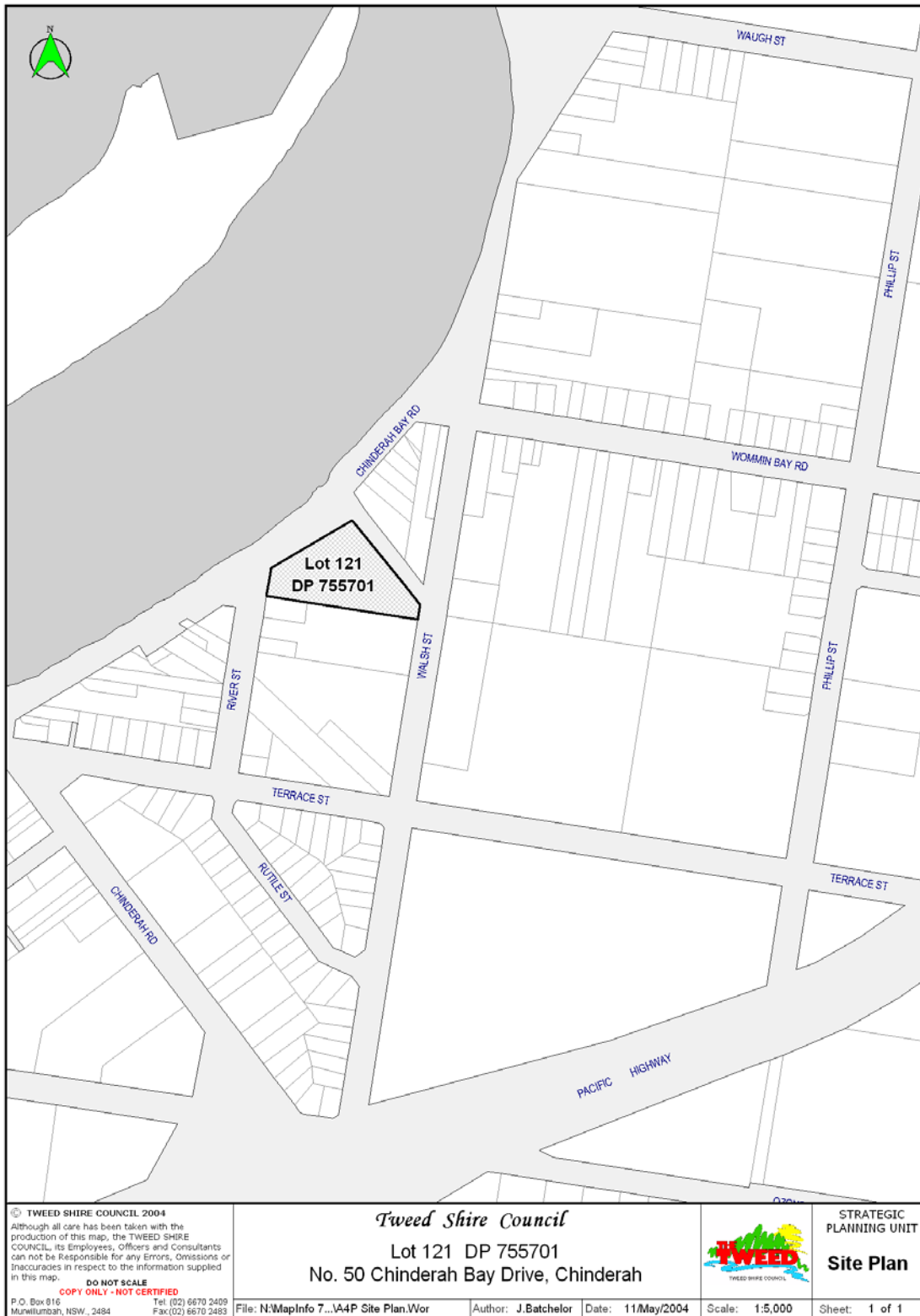
The proposed seven lot subdivision involves the creation of six residential lots ranging in size from 455m² to 661m². The larger lot of 6330m² may in the future support a car park to service the Chinderah marina in the event that Department of Infrastructure Planning and Natural Resources favourably determine the application, alternatively it will remain as residential land. The six residential lots are accessed from a right of carriageway at the rear of the allotments.

The subdivision required a waiver of Master Plan under the provisions of State Environmental Planning Policy No.71. The application was held in abeyance rather than being rejected and following the receipt of the Department of Infrastructure Planning and Natural Resources advice to waive the Master Plan the application commenced processing.

At the time of lodgement the proposed subdivision triggered the Integrated Development provisions in relation the Rivers and Foreshore Improvement Act as the proposal includes works within 40 metres of the bank of a waterway. However the application was not identified as Integrated Development in relation to the Rural Fires Act 1997. With the gazettal of the new fire risk map in February 2004 the subject land is identified as being fire prone and as such to favourably consider the proposal, the general terms of approval from the NSW Rural Fire Service would be required.

The application is not accompanied by the required fire assessment and rather than requesting the applicant to go to the expense of engaging a consultant to complete the required report it is considered that the application should be determined. In the event that Council does not agree with Council's Engineers assessment and the recommendations of this report the applicant would be required to provide a bushfire assessment report and necessary fee for the NSW Rural Fire Service to assess and determine whether general terms of approval should be provided.

SITE DIAGRAM:



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 subject land is zoned 2(a) Low Density Residential zone under the Tweed Local Environmental Plan 2000. The primary objective of the zone is:

To provide for and maintain a low density residential environment with a predominantly detached housing character and amenity.

The proposed subdivision is not considered to be in conflict with the primary objective of the zone, as the allotments created would be able to support single dwelling houses and thereby provide a low density residential environment.

Clause 11 of the TLEP requires minimum lot sizes of 450m². The proposed subdivision involves the creation of 7 lots. The six residential lots being created range in size from 455m² to 661m², and therefore comply with the minimum lot size.

Clause 22 of the TLEP provides for development near designated roads. Chinderah Bay Drive is a Council designated road and as such Council may only grant consent to development of the land if satisfied, in summary, that:

- The development is unlikely to constitute a traffic hazard,
- The access would ensure through traffic on the designated road is not impeded,
- Proposed access will not prejudice future improvements to the designated road,
- The development type is not sensitive to traffic noise,
- The development will not detract from scenic values from the point of road users,
- Where practicable the access will be made from another road that is not designated.

While the subject land has frontage to a Council designated road the proposed subdivision is intended to be access from a right of carriageway at the rear of the residential lots. The proposal does not include access directly from Chinderah Bay Drive. The proposal is not likely to detract from scenic values of road users or prejudice future road improvements.

The proposed subdivision is not considered to be in conflict with the provisions of Clause 22 of the TLEP.

Clause 34 of the TLEP relates to flooding of land. The objectives of this clause are:

- *To minimise future potential flood damage by ensuring that only appropriate compatible development occurs on flood liable land.*
- *To minimise the adverse effect of flooding on the community.*

The clause states that Council must not grant consent to development on flood liable land unless it has considered:

- a) The extent and nature of the flooding hazard affecting the land, and
- b) Whether or not the development would increase the risk or severity of flooding of other land in the vicinity, and
- c) Whether the risk or severity of flooding affecting the development could be reasonably mitigated, and
- d) The impact of the development on emergency services, and
- e) The provisions of *Tweed Development Control Plan No.5 - Development of Flood Liable Land* and any other relevant development control plan.

In assessing the proposed development in relation to this clause Council's Manager of the Water Unit has not been able to be satisfied that the proposed subdivision is suitable based on the provisions of Development Control Plan No.5 - Development of Flood Liable Land.

Clause 34 of the TLEP has not been satisfied in that the applicant has not been able to adequately demonstrate the clause requirements for Council to be certain that the objectives of this clause are achieved.

Clause 35 of the TLEP provides for the management of acid sulfate soils. Council's Environmental Health Surveyor has assessed the submitted management plan and recommended that in the event that the subdivision is to be approved works would need to be undertaken in accordance with the plan. No further assessment of impacts to acid sulfate soils is required.

In summary the proposed development is not considered to have satisfied Clause 34 of the TLEP.

North Coast Regional Environmental Plan 1988

Clause 32B of the North Coast REP requires the consideration of the NSW Coastal Policy, Coastline Management Manual and North Coast Design Guidelines. The NSW Coastal Policy is relevant to the proposed development, and is addressed in this report.

Clause 43 of the North Coast REP provides development control in relation to residential development and requires densities to be maximised, road widths to not be excessive and public transport encouraged. The proposed subdivision is considered to maximise the density with a residue lot created that may in the future support further residential development.

The proposed subdivision is not considered to be in conflict with the provisions of the North Coast REP.

State Environmental Planning Policies

State Environmental Planning Policy No.55 - Remediation of Land

The applicant submitted a contaminated land assessment report and Council's Environmental Health Surveyor has assessed this report and does not raise any objection to the proposal in relation to contaminated lands.

State Environmental Planning Policy No.71 - Coastal Protection

SEPP 71 states that a consent authority must not grant consent for a subdivision of land within a residential zone if part of the land is in a sensitive coastal location. As the subject land is mapped in a sensitive coastal location the applicant sought a waiver from the Minister for the need for a master plan.

The Department of Infrastructure Planning and Natural Resources provided written advice on 10th November 2003 that the requirement for a Master Plan was waived.

In considering the proposed development Council needs to have regard to the relevant matters contained in Clause 8 of SEPP71. The proposed subdivision is not considered to be in conflict with the provisions of Clause 8 of SEPP 71.

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

The proposed development is for a residential subdivision. The nature of the development does not require assessment in relation to the existing draft environmental planning instruments.

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

Development Control Plan No.5 - Flood Liable Land

The subject land is identified as being Flood Liable and as such the proposed subdivision is required to meet the requirements of DCP5.

The application states that the current level of the land is approximately 1.0m AHD and it is proposed to fill the land to 1.61m AHD being the centreline level of Chinderah Bay Drive. The adopted design flood level for the land is 3.30m

AHD and the adopted minimum floor level for residential development for the site is 3.60m AHD.

From these levels it is clear that the subject land experiences significant flooding, and any future dwellings will be of elevated design to allow flood waters to flow across the site.

Subdivision of land is only permitted under DCP 5 if it is to existing roads and where each allotment has a minimum frontage of 17 metres. The proposal complies with the minimum frontage requirements and fronts an existing road. However access to the subdivision is not proposed from the existing road, rather a right of carriageway at the rear.

The proposed right of carriageway does not meet the requirements of DCP 16 and as such Council's Development Engineers would require such to be constructed and dedicated to a public road standard. To this end the proposed subdivision would not appear to be able to be designed to gain access from an existing public road. The creation of roads for subdivision is in conflict with DCP5.

There is also a requirement that infill development of residentially zoned land will be permitted with the exception of allotments within the extreme hazard zones identified in the Cameron McNamara report of September, 1984.

Council's Manager of the Water Unit has advised that the applicant has not demonstrated that the proposed development is outside the extreme hazard zone. The survey plan provided indicates ground levels in the vicinity of RL 1.0m AHD. The Design Flood Level for this location is RL 3.3m AHD.

Given the levels of the site and the applicant not adequately demonstrating the sites suitability for infill development it is considered that the proposal can not be supported. It is noted that upon requesting the applicant to demonstrate this aspect of the development minimal information was provided, and therefore Council's Engineers can not be satisfied in relation to the suitability of the site for subdivision and the provisions of DCP5

The proposed subdivision is considered unacceptable given the inability to demonstrate compliance with DCP5.

Development Control Plan No.16 - Subdivision Manual

Council's Development Engineer has assessed the proposed subdivision in relation to compliance with DCP 16 and has advised the following:

"The right of carriageway proposed for the subdivision is not in accordance with DCP 16 - subdivisions manual; which states the maximum number of lots utilising a right of carriageway is 5. The subdivision has proposed 7 lots.

Greater than 5 lots requires a public road constructed to DCP 16's current road specification standards. If a public road is proposed, the application still does not comply with DCP 5 for proposed subdivisions to have frontage to existing roads only in the Chinderah / Fingal area.

The application is unclear in regards to the pavement width and construction methods for the road. A plan titled "proposed site and layout plans" prepared by Chris Lonergan & Associates states the right of carriageway is 8.5 metres wide (variable width). Martin Findlater & Associates also provided advice in a report titled Engineering Impact Assessment dated 24 April 2003. The report states "access to the residential allotments on site is proposed via a 6.5m wide reciprocal right of way, shared with the carpark".

As the proposed subdivision would require the construction of the right of carriageway to a public road standard and dedicated accordingly the development would result in the creation of a new road. The creation of new roads to service the proposed subdivision would be in conflict with the provisions of Development Control Plan No.5 - Development of Flood Liable Land.

Council's Development Engineer has advised:

"Access is not possible via Chinderah Bay Drive due to the constraints of Kingscliff Creek. The Kingscliff Creek and associated drain runs parallel and adjacent to the property boundary of Lot 121 DP 755701. Large culverts and a deep drainage canal are located in the road reserve in front of Lot 121, preventing direct access to Chinderah Bay Drive."

Based on the above assessment the proposed subdivision would appear to have no alternative means of access than from the rear.

The proposed subdivision does not meet the requirements of DCP 16 as seven allotments are to be serviced by a right of carriageway, and then the requirement to construct this to a public road standard and dedicate as a public road is in conflict with DCP 5.

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

NSW Coastal Policy 1997

There are no reasons contained within the strategic goals of this policy to refuse the subdivision.

(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

Impacts from Fill and Earthworks on Kingscliff Creek

The applicant has submitted that the filling operations are to occur in such a manner that the perimeter of the site is filled first, creating a perimeter bund. This is to control stormwater runoff from impacting on Kingscliff Creek during construction.

Department of Infrastructure Planning and Natural Resources did issue general terms of approval for the excavation associated with services trenches and drainage located adjacent to Kingscliff Creek.

It is noted that Council's Development Engineer has advised that this would seem to be an impractical solution as it will create a large sedimentation pond covering the entire site. The proposed stormwater bund would require an outlet with a sedimentation and erosion device, discharging to Kingscliff Creek.

In the event that Council is of the view the proposed subdivision has merit it may be necessary for further detail to be submitted to justify this construction method and satisfy Council's Engineers in terms of mitigation measures.

(c) Suitability of the site for the development

Flooding

From the assessment of the proposal contained under DCP 5 it is apparent that flooding is a significant issue for the site. Council has adopted controls for development on the flood plain within DCP 5. The applicant has not adequately addressed compliance with Council's controls for development on the flood plain and as such it is considered that the proposal can not be supported.

Department of Infrastructure Planning and Natural Resources have advised in correspondence on this application that the cumulative flood impacts due to intensification of development in Chinderah may be significant and may not be consistent with the NSW State Government Flood Policy.

The proposal raises a more strategic issue in relation to development of the flood plain and Council's controls in the area.

Bushfire

The subject land is identified as being bushfire prone and as such will require the general terms of approval from NSW Rural Fire Service for the subdivision to be approved.

As the land was not identified to be bushfire prone until February 2004 the applicant did not submit the necessary assessment or referral fee. In the

event that Council considers the proposal warrants approval the applicant should be requested to provide a bushfire assessment report and referral fee as the subdivision can not be favourably determined without the general terms of approval from the NSW Rural Fire Service.

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

The proposed development was notified for a two week period during which no submissions were received.

(e) Public interest

In the absence of adequate justification for the proposed subdivision and the uncertainty as a result of DCP 5 not being demonstrated to be complied with it is considered that the proposed subdivision can not be supported. It is not in the general public interest for Council to vary from the controls in place for development on the floodplain.

OPTIONS:

1. Refuse the proposal for the recommended reasons.
2. Request the applicant to prepare a Bushfire Assessment Report and submitted the required fee for the NSW Rural Fire Service to enable the application to be assessed and if appropriate general terms of approval be obtained.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Should the applicant be dissatisfied with the determination he may seek to have the matter remedied in the NSW Land and Environment Court.

POLICY IMPLICATIONS:

Council's policy in relation to development of flood liable land has not been satisfied by the submitted engineering assessment. The policy implications of approving a subdivision that undermines Council's Development Control Plan No.5 - Development of Flood Liable Land are significant as such may result in an increase in residences in extreme flood hazard areas.

CONCLUSION:

The proposed subdivision is not considered to have demonstrated compliance with Council's controls for the site. Council's Engineers have assessed the technical issues raised by the proposal and conclude that the application should not be supported for the reasons recommended.

UNDER SEPARATE COVER:

Nil.

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REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM DIRECTOR PLANNING & ENVIRONMENT

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

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

MATTERS FOR CONSIDERATION

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

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1 [DS] Development Application DA03/1038 for a 7 Lot Subdivision at Lot 121 DP 755701, No. 50 Chinderah Bay Drive, Chinderah

ORIGIN:

Development Assessment

FILE NO: DA03/1038 Pt1

SUMMARY OF REPORT:

Council considered a report in relation to the proposed subdivision at its meeting of 19th May 2004 and resolved:

"That this item be deferred to allow landowners to further address the concerns outlined in the report with Development Staff."

The applicant and consultants attended a meeting with the Director of Planning and Environment and staff to discuss the submitted report and indicated that they would seek legal advice in terms of interpretation of the Development Control Plan No.5 - Flood Liable Lands and the Tweed Local Environmental Plan 2000.

The applicant has submitted a copy of his legal advice to Council. A copy of this is provided as an attachment in the Confidential part of this Agenda. A response is provided in this report.

The previous report to Council has been reproduced to enable determination of the matter.

RECOMMENDATION:

That Development Application DA03/1038 for a 7 lot subdivision at Lot 121 DP 755701, No. 50 Chinderah Bay Drive, Chinderah be determined in accordance with the recommendation contained in the previous report detailed as follows:-

That Development Application DA03/1038 for a 7 lot subdivision at Lot 121 DP 755701, No. 50 Chinderah Bay Drive, Chinderah be refused for the following reasons: -

- 1. The subdivision proposal has not demonstrated that the subject land is outside the extreme flood hazard zone as defined by the Cameron McNamara Report dated September 1984 and as such has not been able to satisfy the requirements of Development Control Plan No.5 - Flood Liable Land.*

2. *The proposed subdivision does not adequately satisfy the matters contained in Clause 34 - Flooding of the Tweed Local Environmental Plan 2000.*
3. *The subdivision proposal is unacceptable in its design with seven lots accessing from a right of way and as such does not satisfy the requirements of Development Control Plan No.16 - Subdivision Manual.*
4. *The subdivision proposal and resultant fill of the site is considered to result in on flow stormwater impacts that will result in an unacceptable cumulative impact. Inadequate information has been provided in relation to the impacts from filling of the land to assess this issue.*
5. *The proposed subdivision is not considered to be in the general public interest as it is inappropriate development of the flood plain.*

REPORT:

Applicant: Chris Lonergan & Associates Planning Consultants
Owner: Geographe Point Pty Ltd and Rivercolt Pty Ltd
Location: Lot 121 DP 755701 No. 50 Chinderah Bay Drive, Chinderah
Zoning: 2(a) Low Density Residential
Cost: \$400,000.00

BACKGROUND:

Response to Applicants submission and legal advice

1. Objectives of Environmental Planning and Assessment Act 1979

The applicant's solicitor has referred to the objectives of the act in relation to encouraging orderly and economic use and development of land. The recommended reasons for refusal do not include inconsistency with the objectives of the Act. While it is debatable whether the development is consistent with the objective of the Act or not, the purpose of Part 4 of the legislation is to enable assessment of development under matters for consideration which includes those contained in the report.

2. The Tweed local Environmental Plan 2000 permits the development by way of the zone.

The subject land is zoned 2(a) Low Density Residential. The applicant's solicitor has submitted that as the use is permissible with consent in the zone the fact that the land is in an extreme hazard zone in relation to flooding does not prohibit the development. While the proposed subdivision is permissible in the zone a merits assessment is still required and in this case the proposed subdivision is not considered to be able to be supported.

3. Inconsistent with Clause 34 of the Tweed local Environmental Plan 2000

Clause 34 of the TLEP refers to Development Control Plan No.5 - Flood Liable Land and requires Council to only consent to development with consideration of this DCP. The DCP contains matters for consideration including the extreme hazard zone.

4. Development Control Plan No. 5 - Flood Liable Land provides standards for Flood Liable land and these should prevail

As the proposed development is a residential subdivision on flood liable land the provisions of DCP 5 are applicable in the assessment of the proposal. The DCP refers to mapping that helps identify risk and enables Council's Engineers to assess the suitability or otherwise of development. In this case following technical assessment the proposed subdivision is recommended for refusal.

5. Extreme Hazard zones are used out of context.

The applicant appears to be making a point in relation to interpretation and the question over whether DCP5 rationally refers to extreme hazards zone. Comments provided in the report are not considered to require any review based on the applicants submission.

6. Extreme Hazards zone is not a rational reason for prohibition of development.

Council's Manager of the Water Unit has provided advice in relation to the proposed subdivision and does not consider that this contention requires review of DCP5 on the basis of the applicants submission. Flood plain development and the issue of flood risk is a matter for consideration in relation to the proposed development.

Conclusion

Given the applicants submission it is considered that the following report may now be determined.

"SUMMARY OF REPORT:

Council is in receipt of a development application for a seven (7) lot subdivision of the subject land. The subject land is zoned 2(a) Low Density Residential under the Tweed Local Environmental Plan 2000. The subject land is also identified as being Flood affected and as such the provisions of Development Control Plan No. 5 - Flood Liable Land need to be satisfied.

Council's Manager of the Water Unit has advised that the proposed subdivision does not satisfy the requirements in relation to residential development on flood liable land. The applicant has not demonstrated that the proposal is outside the extreme hazard zone. The information provided indicates that the ground levels are in the vicinity of RL 1.0m AHD. The Design Flood Level for this location is RL 3.3m AHD.

Council's Development Engineer has advised that the proposed subdivision does not meet the requirements of Development Control Plan No.16 - Subdivision Manual in relation to the number of allotments that will gain access from a Right of Way. Council's Policy states a maximum of five lots may be accessed by a right of way, rather than the proposed seven lots.

The above two points have raised concern with Council's Engineers in relation to the proposed development and as such the subdivision on the flood plain is not considered warranted.

RECOMMENDATION:

That Development Application DA03/1038 for a 7 lot subdivision at Lot 121 DP 755701, No. 50 Chinderah Bay Drive, Chinderah be refused for the following reasons: -

1. *The subdivision proposal has not demonstrated that the subject land is outside the extreme flood hazard zone as defined by the Cameron McNamara Report dated September 1984 and as such has not been able to satisfy the requirements of Development Control Plan No.5 - Flood Liable Land.*
2. *The proposed subdivision does not adequately satisfy the matters contained in Clause 34 - Flooding of the Tweed Local Environmental Plan 2000.*
3. *The subdivision proposal is unacceptable in its design with seven lots accessing from a right of way and as such does not satisfy the requirements of Development Control Plan No.16 - Subdivision Manual.*
4. *The subdivision proposal and resultant fill of the site is considered to result in on flow stormwater impacts that will result in an unacceptable cumulative impact. Inadequate information has been provided in relation to the impacts from filling of the land to assess this issue.*
5. *The proposed subdivision is not considered to be in the general public interest as it is inappropriate development of the flood plain.*

REPORT:

Applicant: *Chris Lonergan & Associates Planning Consultants*
Owner: *Geographe Point Pty Ltd and Rivercolt Pty Ltd*
Location: *Lot 121 DP 755701, No. 50 Chinderah Bay Drive, Chinderah*
Zoning: *2(a) Low Density Residential*
Cost: *\$400,000.00*

BACKGROUND:

Council is in receipt of a development application for a seven lot subdivision of the subject land. The subject land is a parcel with an area of 9662m² and is in the 2(a) Low Density Residential zone. Chinderah has a number of larger parcels of land in the 2(a) Low Density Residential zone, however these have not been subdivided historically due to the impacts of flooding in Chinderah.

Development Control Plan No. 5 - Flood Liable Land is applicable to the subject land as it is flood liable. Chinderah experiences inundation as a consequence of river flooding. The adopted design flood level for Chinderah is 3.30m AHD and as such the adopted minimum floor level for residential development is 3.60m AHD.

Council's Engineering Services Division has assessed the suitability of the subject land for the proposal and conclude the proposal cannot be supported.

The proposed seven lot subdivision involves the creation of six residential lots ranging in size from 455m² to 661m². The larger lot of 6330m² may in the future support a car park to service the Chinderah marina in the event that Department of

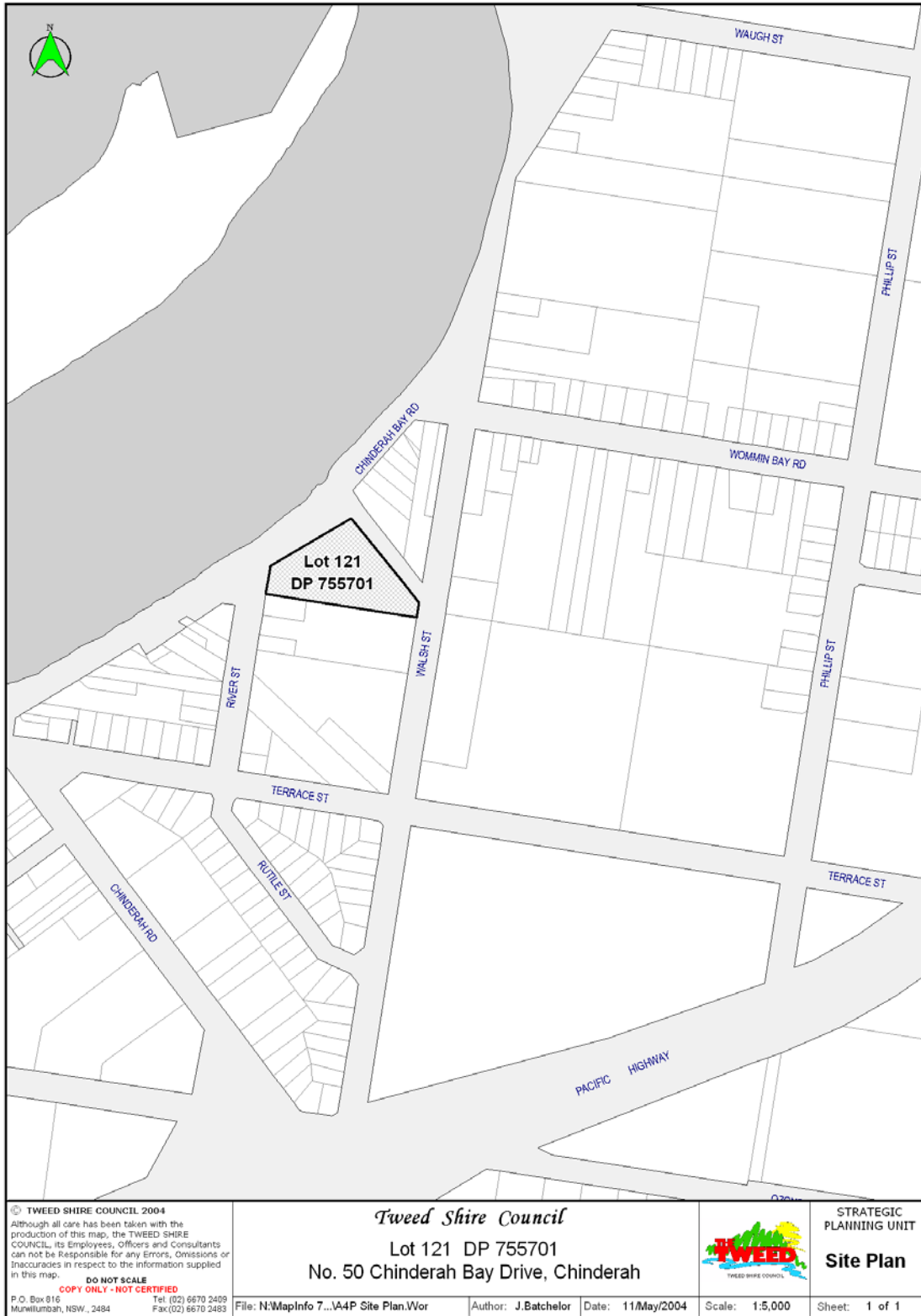
Infrastructure Planning and Natural Resources favourably determine the application, alternatively it will remain as residential land. The six residential lots are accessed from a right of carriageway at the rear of the allotments.

The subdivision required a waiver of Master Plan under the provisions of State Environmental Planning Policy No.71. The application was held in abeyance rather than being rejected and following the receipt of the Department of Infrastructure Planning and Natural Resources advice to waive the Master Plan the application commenced processing.

At the time of lodgement the proposed subdivision triggered the Integrated Development provisions in relation the Rivers and Foreshore Improvement Act as the proposal includes works within 40 metres of the bank of a waterway. However the application was not identified as Integrated Development in relation to the Rural Fires Act 1997. With the gazettal of the new fire risk map in February 2004 the subject land is identified as being fire prone and as such to favourably consider the proposal, the general terms of approval from the NSW Rural Fire Service would be required.

The application is not accompanied by the required fire assessment and rather than requesting the applicant to go to the expense of engaging a consultant to complete the required report it is considered that the application should be determined. In the event that Council does not agree with Council's Engineers assessment and the recommendations of this report the applicant would be required to provide a bushfire assessment report and necessary fee for the NSW Rural Fire Service to assess and determine whether general terms of approval should be provided.

SITE DIAGRAM:



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 subject land is zoned 2(a) Low Density Residential zone under the Tweed Local Environmental Plan 2000. The primary objective of the zone is:

To provide for and maintain a low density residential environment with a predominantly detached housing character and amenity.

The proposed subdivision is not considered to be in conflict with the primary objective of the zone, as the allotments created would be able to support single dwelling houses and thereby provide a low density residential environment.

Clause 11 of the TLEP requires minimum lot sizes of 450m². The proposed subdivision involves the creation of 7 lots. The six residential lots being created range in size from 455m² to 661m², and therefore comply with the minimum lot size.

Clause 22 of the TLEP provides for development near designated roads. Chinderah Bay Drive is a Council designated road and as such Council may only grant consent to development of the land if satisfied, in summary, that:

- The development is unlikely to constitute a traffic hazard,*
- The access would ensure through traffic on the designated road is not impeded,*
- Proposed access will not prejudice future improvements to the designated road,*
- The development type is not sensitive to traffic noise,*
- The development will not detract from scenic values from the point of road users,*
- Where practicable the access will be made from another road that is not designated.*

While the subject land has frontage to a Council designated road the proposed subdivision is intended to be access from a right of carriageway at the rear of the residential lots. The proposal does not include access directly from Chinderah Bay Drive. The proposal is not likely to detract from scenic values of road users or prejudice future road improvements.

The proposed subdivision is not considered to be in conflict with the provisions of Clause 22 of the TLEP.

Clause 34 of the TLEP relates to flooding of land. The objectives of this clause are:

- *To minimise future potential flood damage by ensuring that only appropriate compatible development occurs on flood liable land.*
- *To minimise the adverse effect of flooding on the community.*

The clause states that Council must not grant consent to development on flood liable land unless it has considered:

- a) *The extent and nature of the flooding hazard affecting the land, and*
- b) *Whether or not the development would increase the risk or severity of flooding of other land in the vicinity, and*
- c) *Whether the risk or severity of flooding affecting the development could be reasonably mitigated, and*
- d) *The impact of the development on emergency services, and*
- e) *The provisions of Tweed Development Control Plan No.5 - Development of Flood Liable Land and any other relevant development control plan.*

In assessing the proposed development in relation to this clause Council's Manager of the Water Unit has not been able to be satisfied that the proposed subdivision is suitable based on the provisions of Development Control Plan No.5 - Development of Flood Liable Land.

Clause 34 of the TLEP has not been satisfied in that the applicant has not been able to adequately demonstrate the clause requirements for Council to be certain that the objectives of this clause are achieved.

Clause 35 of the TLEP provides for the management of acid sulfate soils. Council's Environmental Health Surveyor has assessed the submitted management plan and recommended that in the event that the subdivision is to be approved works would need to be undertaken in accordance with the plan. No further assessment of impacts to acid sulfate soils is required.

In summary the proposed development is not considered to have satisfied Clause 34 of the TLEP.

North Coast Regional Environmental Plan 1988

Clause 32B of the North Coast REP requires the consideration of the NSW Coastal Policy, Coastline Management Manual and North Coast

Design Guidelines. The NSW Coastal Policy is relevant to the proposed development, and is addressed in this report.

Clause 43 of the North Coast REP provides development control in relation to residential development and requires densities to be maximised, road widths to not be excessive and public transport encouraged. The proposed subdivision is considered to maximise the density with a residue lot created that may in the future support further residential development.

The proposed subdivision is not considered to be in conflict with the provisions of the North Coast REP.

State Environmental Planning Policies

State Environmental Planning Policy No.55 - Remediation of Land

The applicant submitted a contaminated land assessment report and Council's Environmental Health Surveyor has assessed this report and does not raise any objection to the proposal in relation to contaminated lands.

State Environmental Planning Policy No.71 - Coastal Protection

SEPP 71 states that a consent authority must not grant consent for a subdivision of land within a residential zone if part of the land is in a sensitive coastal location. As the subject land is mapped in a sensitive coastal location the applicant sought a waiver from the Minister for the need for a master plan.

The Department of Infrastructure Planning and Natural Resources provided written advice on 10th November 2003 that the requirement for a Master Plan was waived.

In considering the proposed development Council needs to have regard to the relevant matters contained in Clause 8 of SEPP71. The proposed subdivision is not considered to be in conflict with the provisions of Clause 8 of SEPP 71.

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

The proposed development is for a residential subdivision. The nature of the development does not require assessment in relation to the existing draft environmental planning instruments.

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

Development Control Plan No.5 - Flood Liable Land

The subject land is identified as being Flood Liable and as such the proposed subdivision is required to meet the requirements of DCP5.

The application states that the current level of the land is approximately 1.0m AHD and it is proposed to fill the land to 1.61m AHD being the centreline level of Chinderah Bay Drive. The adopted design flood level for the land is 3.30m AHD and the adopted minimum floor level for residential development for the site is 3.60m AHD.

From these levels it is clear that the subject land experiences significant flooding, and any future dwellings will be of elevated design to allow flood waters to flow across the site.

Subdivision of land is only permitted under DCP 5 if it is to existing roads and where each allotment has a minimum frontage of 17 metres. The proposal complies with the minimum frontage requirements and fronts an existing road. However access to the subdivision is not proposed from the existing road, rather a right of carriageway at the rear.

The proposed right of carriageway does not meet the requirements of DCP 16 and as such Council's Development Engineers would require such to be constructed and dedicated to a public road standard. To this end the proposed subdivision would not appear to be able to be designed to gain access from an existing public road. The creation of roads for subdivision is in conflict with DCP5.

There is also a requirement that infill development of residentially zoned land will be permitted with the exception of allotments within the extreme hazard zones identified in the Cameron McNamara report of September, 1984.

Council's Manager of the Water Unit has advised that the applicant has not demonstrated that the proposed development is outside the extreme hazard zone. The survey plan provided indicates ground levels in the vicinity of RL 1.0m AHD. The Design Flood Level for this location is RL 3.3m AHD.

Given the levels of the site and the applicant not adequately demonstrating the sites suitability for infill development it is considered that the proposal can not be supported. It is noted that upon requesting the applicant to demonstrate this aspect of the development minimal information was provided, and therefore Council's Engineers can not be satisfied in relation to the suitability of the site for subdivision and the provisions of DCP5

The proposed subdivision is considered unacceptable given the inability to demonstrate compliance with DCP5.

Development Control Plan No.16 - Subdivision Manual

Council's Development Engineer has assessed the proposed subdivision in relation to compliance with DCP 16 and has advised the following:

"The right of carriageway proposed for the subdivision is not in accordance with DCP 16 - subdivisions manual; which states the maximum number of lots utilising a right of carriageway is 5. The subdivision has proposed 7 lots.

Greater than 5 lots requires a public road constructed to DCP 16's current road specification standards. If a public road is proposed, the application still does not comply with DCP 5 for proposed subdivisions to have frontage to existing roads only in the Chinderah / Fingal area.

The application is unclear in regards to the pavement width and construction methods for the road. A plan titled "proposed site and layout plans" prepared by Chris Lonergan & Associates states the right of carriageway is 8.5 metres wide (variable width). Martin Findlater & Associates also provided advice in a report titled Engineering Impact Assessment dated 24 April 2003. The report states "access to the residential allotments on site is proposed via a 6.5m wide reciprocal right of way, shared with the carpark".

As the proposed subdivision would require the construction of the right of carriageway to a public road standard and dedicated accordingly the development would result in the creation of a new road. The creation of new roads to service the proposed subdivision would be in conflict with the provisions of Development Control Plan No.5 - Development of Flood Liable Land.

Council's Development Engineer has advised:

"Access is not possible via Chinderah Bay Drive due to the constraints of Kingscliff Creek. The Kingscliff Creek and associated drain runs parallel and adjacent to the property boundary of Lot 121 DP 755701. Large culverts and a deep drainage canal are located in the road reserve in front of Lot 121, preventing direct access to Chinderah Bay Drive."

Based on the above assessment the proposed subdivision would appear to have no alternative means of access than from the rear.

The proposed subdivision does not meet the requirements of DCP 16 as seven allotments are to be serviced by a right of carriageway, and then the requirement to construct this to a public road standard and dedicate as a public road is in conflict with DCP 5.

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

NSW Coastal Policy 1997

There are no reasons contained within the strategic goals of this policy to refuse the subdivision.

(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

Impacts from Fill and Earthworks on Kingscliff Creek

The applicant has submitted that the filling operations are to occur in such a manner that the perimeter of the site is filled first, creating a perimeter bund. This is to control stormwater runoff from impacting on Kingscliff Creek during construction.

Department of Infrastructure Planning and Natural Resources did issue general terms of approval for the excavation associated with services trenches and drainage located adjacent to Kingscliff Creek.

It is noted that Council's Development Engineer has advised that this would seem to be an impractical solution as it will create a large sedimentation pond covering the entire site. The proposed stormwater bund would require an outlet with a sedimentation and erosion device, discharging to Kingscliff Creek.

In the event that Council is of the view the proposed subdivision has merit it may be necessary for further detail to be submitted to justify this construction method and satisfy Council's Engineers in terms of mitigation measures.

(c) Suitability of the site for the development

Flooding

From the assessment of the proposal contained under DCP 5 it is apparent that flooding is a significant issue for the site. Council has adopted controls for development on the flood plain within DCP 5. The applicant has not adequately addressed compliance with Council's controls for development on the flood plain and as such it is considered that the proposal can not be supported.

Department of Infrastructure Planning and Natural Resources have advised in correspondence on this application that the cumulative flood impacts due to intensification of development in Chinderah may be significant and may not be consistent with the NSW State Government Flood Policy.

The proposal raises a more strategic issue in relation to development of the flood plain and Council's controls in the area.

Bushfire

The subject land is identified as being bushfire prone and as such will require the general terms of approval from NSW Rural Fire Service for the subdivision to be approved.

As the land was not identified to be bushfire prone until February 2004 the applicant did not submit the necessary assessment or referral fee. In the event that Council considers the proposal warrants approval the applicant should be requested to provide a bushfire assessment report and referral fee as the subdivision can not be favourably determined without the general terms of approval from the NSW Rural Fire Service.

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

The proposed development was notified for a two week period during which no submissions were received.

(e) Public interest

In the absence of adequate justification for the proposed subdivision and the uncertainty as a result of DCP 5 not being demonstrated to be complied with it is considered that the proposed subdivision can not be supported. It is not in the general public interest for Council to vary from the controls in place for development on the floodplain.

OPTIONS:

- 1. Refuse the proposal for the recommended reasons.*
- 2. Request the applicant to prepare a Bushfire Assessment Report and submitted the required fee for the NSW Rural Fire Service to enable the application to be assessed and if appropriate general terms of approval be obtained.*

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Should the applicant be dissatisfied with the determination he may seek to have the matter remedied in the NSW Land and Environment Court.

POLICY IMPLICATIONS:

Council's policy in relation to development of flood liable land has not been satisfied by the submitted engineering assessment. The policy implications of approving a subdivision that undermines Council's Development Control Plan No.5 - Development of Flood Liable Land are significant as such may result in an increase in residences in extreme flood hazard areas.

CONCLUSION:

The proposed subdivision is not considered to have demonstrated compliance with Council's controls for the site. Council's Engineers have assessed the technical issues raised by the proposal and conclude that the application should not be supported for the reasons recommended.

UNDER SEPARATE COVER:

Nil."

OPTIONS:

See above options contained in report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Council is able to determine the application. The report details the legal implication.

POLICY IMPLICATIONS:

Nil.

CONCLUSION:

The legal opinion provided by the applicant did not result in Council's Engineering Services Division changing previous advice. As such the report to Council and recommendation are resubmitted for determination.

UNDER SEPARATE COVER:

1. Confidential letter from applicant's Solicitors Bartier Perry dated 21 June 2004
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2 [DS] Development Application DA04/0008 for a Mixed Commercial/Residential Development & Local Environmental Plan Amendment at Lot 14 DP 818400, Overall Drive, Pottsville

ORIGIN:

Development Assessment

FILE NO: DA04/0008 Pt1

SUMMARY OF REPORT:

Council is in receipt of a development application for a mixed commercial/residential development incorporating three (3) commercial tenancies, three (3) residential units, landscaping and associated car parking. The development proposes a two (2) storey building to accommodate a total of approximately 280m² of commercial floor space on the ground floor with two (2), three (3) bedroom apartments and one (1), two (2) bedroom apartment on the upper floor. The design of the building incorporates broken elevations and rooflines, with a rendered finish and overall appearance that is consistent with the current trends in coastal architecture. The proposal also incorporates driveway and car park construction to service the development.

The subject land is zoned 2(b) Medium Density Residential and as such, the commercial component of the development is prohibited. In accordance with Section 72J of the Environmental Planning and Assessment Act 1979, the applicant is seeking an amendment to the *Tweed Local Environmental Plan 2000* to facilitate the development of the site for commercial uses. The amendment seeks to change the zoning of the subject site from 2(b) Medium Density Residential to 3(b) General Business.

RECOMMENDATION:

That Council: -

1. Supports the proposed rezoning and resolves to prepare a draft Tweed Local Environmental Plan 2000, to change Lot 14 DP 818400, Overall Drive, Pottsville from 2(b) Medium Density Residential to 3(b) General Business.
2. Pursuant to Section 54(4) of the Environmental Planning and Assessment Act, 1979 informs the Department of Infrastructure, Planning and Natural Resources of Council's intention to prepare a draft Local Environmental Plan.
3. Advises the Director General of the Department of Infrastructure, Planning and Natural Resources that in Council's opinion a Local Environmental Study is not required in this instance.

4. Advises the applicant that in initiating the draft Local Environmental Plan amendment, support is not, at this stage, given to the development application plans.

REPORT:

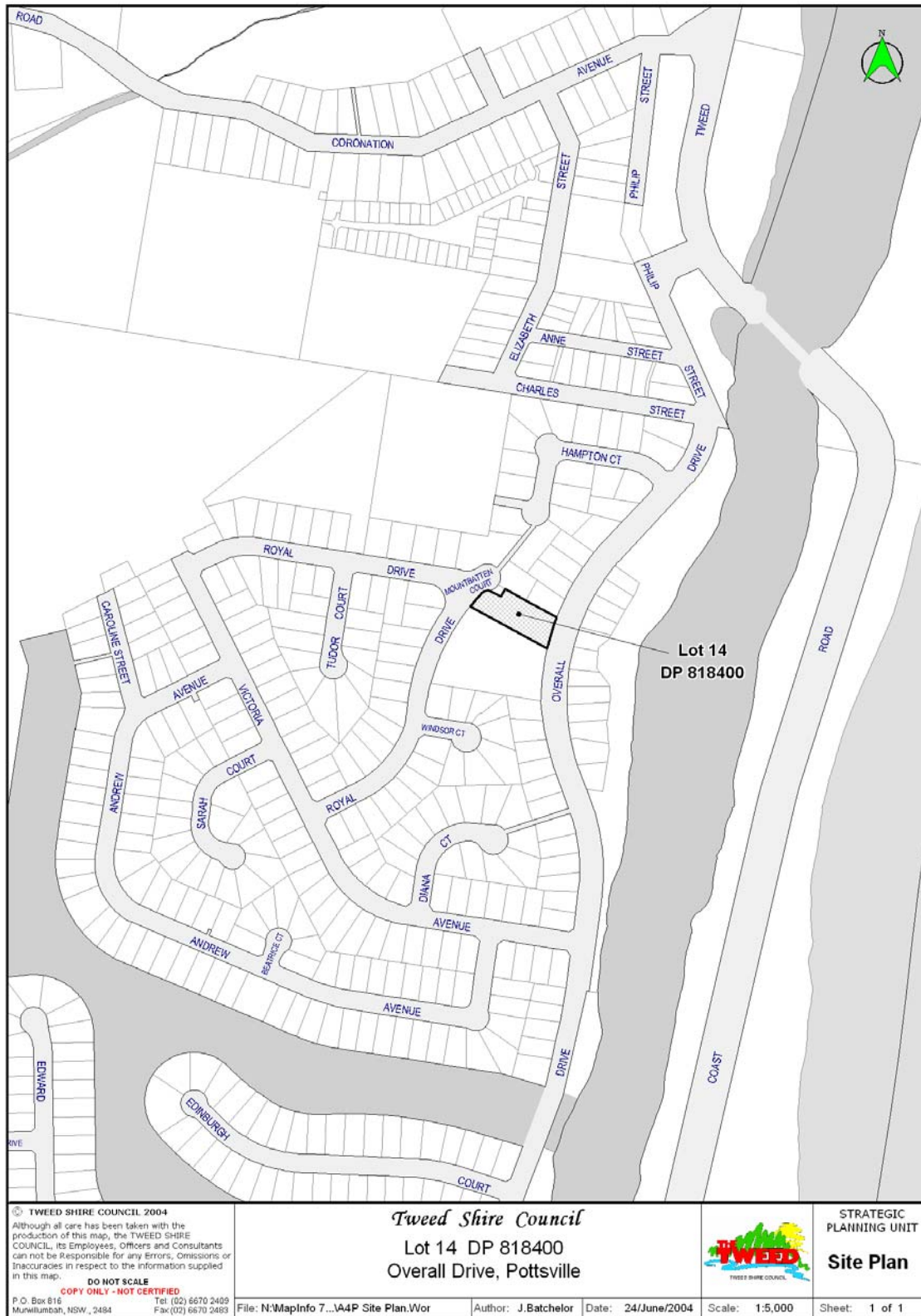
Applicant: Mr J Papanikolas & Mrs H Papanikolas
Owner: Mr J Papanikolas & Mrs H Papanikolas
Location: Lot 14 DP 818400 Overall Drive, Pottsville
Zoning: 2(b) Medium Density Residential
Cost: \$750,000.00

BACKGROUND:

The subject site comprises a total area of approximately 2902m² and contains no built improvements. The site is rectangular in shape and possesses frontages to both Overall Drive (36m) and Royal Drive (22m). Immediately to the south of the site is a neighbourhood shopping centre incorporating the Pottsville Tavern and other retail outlets. Immediately to the north is a medium density townhouse development. This is reflected in the nature of the zoning boundaries with the allotment to the south of the subject site zoned 3(b) General Business, and the allotment to the north zoned 2(b) Medium Density Residential. In this regard, the subject site provides a transition area between the commercial activities to the south and the residential areas to the north.

Given the nature of the surrounding development, it is considered that the proposed mixed-use development provides an appropriate land use for the site that blends elements of commercial and residential activity. Council's Environment & Health Officer has indicated that historically, there have been incidents of noise complaints associated with the operation of the Pottsville Tavern. The provision of a buffer zone between the tavern and existing residential areas is considered likely to result in a better planning outcome than utilising the site for medium density residential development as per the current zoning provisions.

SITE DIAGRAM:



PLANNING CONSIDERATIONS

Tweed Local Environmental Plan 2000

The subject land is zoned 2(b) Medium Density Residential under the Tweed Local Environmental Plan. **Clause 11** of the LEP states that shops (other than general stores) and commercial premises are a prohibited land-use in the 2(b) zone.

To enable the subject site to be utilised for commercial land-uses the applicant has requested Council to amend the Local Environmental Plan 2000 by rezoning the subject land from 2(b) Medium Density Residential to 3(b) General Business.

The objectives of the 3(b) zone are:-

Primary Objectives

- *to provide business centres in which the community's shopping, business, welfare and social needs can be met.*
- *to provide business locations within residential areas, and to ensure that the scale and type of development is compatible with the character and amenity of the surrounding residential areas.*

Secondary Objectives

- *to provide for tourist orientated development.*
- *to encourage upper floor residential or tourist accommodation.*

The proposed development provides for a two storey building with three (3) commercial units at the ground floor, and three (3) residential units above.

It is considered that the proposal is consistent with the primary objectives as well as the secondary objective pertaining to upper floor residential development.

Clause 14 of the TLEP provides for flexibility for development near zone boundaries. In this regard the subject site is zoned 2(b) Medium Density Residential and adjoins land zoned 3(b) General Business to the south. Part 3 of Clause 14 states:-

"Development that may otherwise be prohibited may, with consent, be carried out on land to which this clause applies if the development may be carried out (with or without consent) in the adjoining zone."

Despite the apparent opportunities under this clause, the provisions of SEPP 71 void all such flexible zone provisions. Given the subject site is in a coastal area and is affected by SEPP 71, the applicant is required to pursue a rezoning application in order to have the proposed development considered.

Tweed 2000+ Strategic Plan

This plan includes among its policies and actions (No.112) provision for minor re-zonings in or adjacent to existing release areas to achieve efficient use of existing infrastructure. The proposal is consistent with this provision. Policy No.109 relates to Pottsville and an identified need to expand the Pottsville commercial centre. The proposed rezoning represents a step towards achieving this objective.

North Coast Regional Environmental Plan 1988

The proposal is consistent with both the plan preparation and development control provisions of the NCREP 1988. The relevant clauses are discussed below:

Clause 32A - Coastal Lands applies to land which the NSW Coastal Policy applies. It requires that a draft LEP shall include provisions which are consistent with the Coastal Policy and it also contains requirements in respect of development in coastal protection. The proposal is considered to be consistent with the provisions of this clause.

Clause 39 - Retail Activities relates to the establishment of significant retail, commercial or business development. There is no retail/commercial expansion strategy applicable to the area. The subject site adjoins land zoned 3(b) and is of a relatively minor scale. It is therefore considered to be consistent with the provisions of this clause.

Clause 46 - Objectives indicates that the REP encourages an adequate supply of land where commercial development is permissible within planned growth areas, particularly where essential services can be provided with minimal environmental damage. The applicant contends that the subject site is unsuitable for medium density residential development given the potential for conflict with the existing commercial centre to the south. As a result, it is argued that the subject site presents a suitable location for mixed-use development as provided for in the 3(b) General Business zone. It is considered that the rezoning of the subject site would provide for a sensible outcome, satisfactory with regard to the provisions of Clause 46.

Clause 47 - Principles for Commercial and Industrial Development encourages commercial land adjoining existing commercial or retail development. Given the adjoining parcel of land to the south is zoned 3(b), it is considered that the subject site presents is suitable with regard to this clause.

NSW Coastal Policy

The subject land is affected by the NSW Coastal Policy 1997. The proposed development is not inconsistent with the strategic objectives of the Policy. Section 117 Direction S26 requires a local environmental study for any draft environmental planning instrument within the coastal zone. The applicant has requested a wavier in this regard and further details are addressed later in this report.

State Environmental Planning Policies

SEPP 71 - Coastal Protection

Clause 13 of SEPP 71 refers to Flexible Zone Provisions and states:-

"A provisions of an environmental planning instrument that allows development within a zone to be consented to as if it were in a neighbouring zone, or a similar provision, has no effect."

As a result of this provision, the applicant is unable to pursue the proposal pursuant to Clause 14 of the TLEP, which would otherwise allow for flexibility in development near zone boundaries.

With regard to the matters outlined in Part 2 of the Policy, it is considered that the proposed development is satisfactory.

Section 117 Directions

The Section 117 Directions applicable to the proposed amendment to Tweed Local Environmental Plan 2000 include:

G10 - Business Zones: Proposed rezoning seeks to expand on the existing area of land zoned 3(b) General Business and is therefore consistent with the provisions of this direction.

S26 - Coastal Policy: Given the attributes of the site and the relatively minor scale of the proposal, the applicant is seeking a waiver to the requirement to prepare a Local Environmental Study as required by this direction.

C1 - Acid Sulfate Soils: Council's Environment & Health Office has review the proposal in this regard and raised no objection.

LEP Amendment - Merit Considerations

Access and Traffic

Council's Traffic Engineer has reviewed the proposed development with regard to access and traffic issues. The original proposal was deemed to be unacceptable due to the potential for conflict between existing traffic, (seeking to turn right off Overall Drive into the adjoining shopping centre) and future traffic of the proposed development (also seeking to turn right from the same dedicated right hand turning lane). The applicant has since amended the proposal to the satisfaction of Council's Traffic Engineer. The proposed solution involves altering the location of the proposed entrance driveway and removing a section of the existing traffic blister along on Overall Drive. These changes will increase the length of the designated right turn lane and provide for an entry point on the subject site that allows for a safe distance to slow down and enter.

Noise

The subject lot is immediately adjacent to an existing shopping complex containing the Pottsville Tavern, a supermarket and other retailers. The Pottsville Tavern has previously sought extended trading hours and permission to play live music to later hours. Residents were surveyed at that time and indicated that the only real disturbances from the tavern related to the live music and people wandering home after closing time.

Council's Environment & Health Officer has indicated that a mixed-use development on the subject site would be preferable to residential development as it would reduce the potential for any additional noise conflict with the tavern and shops. In this regard, the proposed mixed-use development may be effective in creating a buffer between the existing commercial activities and adjoining residential development.

It is considered that residents above the proposed commercial units are likely to be more tolerant to noise from the shops below, and as such may be more accepting of any noise associated with the existing tavern etc. To further clarify this issue, the applicant provided an acoustic report to examine the exposure of proposed Unit 3 to the tavern and shops, and provide details of any construction methods which may be necessary to ameliorate noise.

Council's Environment & Health Officer reviewed the report and concurred with the conclusion that, subject to certain controls, the proposed development will not be adversely impacted by the adjoining commercial activities. The mitigation measures pertaining to glass treatment and door construction, as proposed in the report, are to be required as conditions of consent.

Given that the noise issue has been resolved to the satisfaction of Council's Environment & Health Officer, the application is considered suitable to proceed.

Strategic Planning

The application was referred to Council's Economic Planner for comment in relation to the future retail strategy for Pottsville. The development application identifies a total commercial area of 282m² located within three (3) separate office/shop spaces. The size of the commercial/retail floor space represents a small expansion to the adjoining retail development. It is considered that the proposed development will promote the commercial area as an important impulse retail outlet for the existing and future residential areas south of Pottsville's commercial centre. The economic impacts associated with the proposed rezoning are therefore endorsed.

The proposed LEP amendment would create a total 3(b) General Business area of 1.1Ha representing a significant neighbourhood centre within Pottsville. The recommendations received from Council's Economic Planner are generally in favour of the proposed rezoning. The applicant has proposed a site specific DCP to further guide the redevelopment of the site however, it is considered that it is not necessary in this instance given the relatively minor scale of the proposal.

Local Environmental Study

Section 117 Direction S26 requires Council to prepare a local environmental study for any draft local environmental plan affected by the NSW Coastal Policy 1997. The applicant has prepared a submission requesting that the Director General of the Department of Infrastructure, Planning and Natural Resources waive the requirement for a Local Environmental Study in this instance. The submission states:-

"...that the cleared nature of the site, its location within an existing development urban and commercial area, and the flood free nature of the site, all combine to ensure that minimal environmental impact will result from the proposed development.

On the basis of the information provided it is considered unnecessary for an L.E.S to be prepared prior to proceeding with a single lot rezoning, of a cleared, vacant and serviced lot, within an existing development and serviced residential and commercial area.

It is requested that the usual L.E.S requirement for rezonings within the Coastal Zone be waived in this instance due to the low key and compatible nature of the single lot LEP amendment sought."

It is considered that the request to waiver the requirement for a local environmental study is reasonable given the characteristics of the subject site. As a result it is recommended that any resolution to proceed with the rezoning, contain a recommendation to the Director General in support of the waiver.

OPTIONS:

1. (i) Council resolve to support the proposed amendment to the Local Environmental Plan 2000, to facilitate the rezoning of the subject site from 2(b) Medium Density Residential to 3(b) General Business.
- (ii) Advise the Director General of the Department of Infrastructure, Planning and Natural Resources that in Council's opinion, a Local Environmental Study is not required.
3. Resolve not to support the proposed rezoning.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Any draft plan would have the effect of changing Council's land use planning policy.

CONCLUSION:

In light of the matters raised in this report, it is considered that the proposed rezoning of the subject site from 2(b) Medium Density Residential to 3(b) General Business possesses sufficient merit to warrant the support of Council.

The applicant is seeking a rezoning to facilitate a proposed mix-use building incorporating shops and commercial tenancies prohibited in the 2(b) zone. It is considered that the subject is suitable in accommodating commercial development.

Council is requested to seek the dispensation of the Director General of the Department of Infrastructure, Planning and Natural Resources in relation to the need for a Local Environmental Study as required under the provisions of S26 (Coastal Policy) of the Section 117(2) Directions. There are no detrimental impacts envisaged as a result of the proposed development, and given the minor scale of the proposal and the environmental characteristics of the subject site, it is considered a Local Environmental Study is unnecessary in this instance.

As a result of the attributes of the site and the relatively minor scale of the proposal, the application to rezone the subject site is supported.

UNDER SEPARATE COVER:

Nil.

3 [DS] Tweed Local Environmental Plan 2000 Rezoning Request - Lot 1, DP 828862 - Castlefield Drive, Murwillumbah

ORIGIN:

Strategic Town Planning

FILE NO: GT1/LEP/2000

SUMMARY OF REPORT:

Council is in receipt of an application to amend Tweed LEP 2000 to enable the erection of one additional dwelling on Lot 1 DP 828862 Castlefield Drive, Murwillumbah. The subject parcel of land has an approximate land area of 4300 square metres and is located on the corner of Castlefield Drive and North Arm Road, Murwillumbah. Through the middle of the site exists an open stormwater channel. South of this and on that part of the site zoned 2(c) are six (6) small-detached dwellings, which were approved by Council in 2002.

The land is zoned part 2(c) Urban Expansion and part 6(b) Recreation. It is intended that the proposed dwelling be erected on that part of the subject site zoned 6(b).

The proposed development is considered to be generally consistent with the character and amenity of the surrounding area and is not expected to be detrimental to the surrounding environment.

It is recommended that the proposed LEP Amendment be supported and that Council proceed with the draft LEP Amendment.

RECOMMENDATION:

That:

1. The Owner of the subject site provides Council with the necessary resources to investigate and resolve the identified stormwater issues so as to enable Council to proceed with the proposed LEP Amendment.
2. Council, subject to Recommendation 1, pursuant to Section 54 of the Environmental Planning & Assessment Act, informs the Department of Infrastructure, Planning & Natural Resources of its intention to prepare a draft Local Environmental Plan to enable the erection of one additional dwelling on Lot 1, DP 828862, Castlefield Drive, Murwillumbah.

3. The Director-General of the Department of Infrastructure, Planning and Natural Resources be requested to waive the requirement for a Local Environmental Study given the minor nature of the proposed Local Environmental Plan Amendment.

REPORT:

Introduction

A request has been received from the owner of Lot 1 DP 828862 Castlefield Drive, Murwillumbah to rezone part of the subject site (Lot 1) from 6(b) Recreation to 2(c) Urban Expansion. The purpose of the request is to allow the owner of the site to build one additional dwelling on the subject land.

The Site

The property is described as Lot 1 DP 828862 Castlefield Drive, Murwillumbah. The site is situated on the corner of Castlefield Drive and North Arm Road. The allotment is approximately 4300 square metres in size.

The southern end of the site is characterised as having little slope whereas the northern end of the site slopes away from North Arm Road and Castlefield Drive to an open stormwater channel that flows through the middle of the property.

The bulk of the property has been cleared but some vegetation does exist adjoining the northwestern boundaries of the property and the stormwater channel. A tree preservation order does exist on the remaining vegetation.

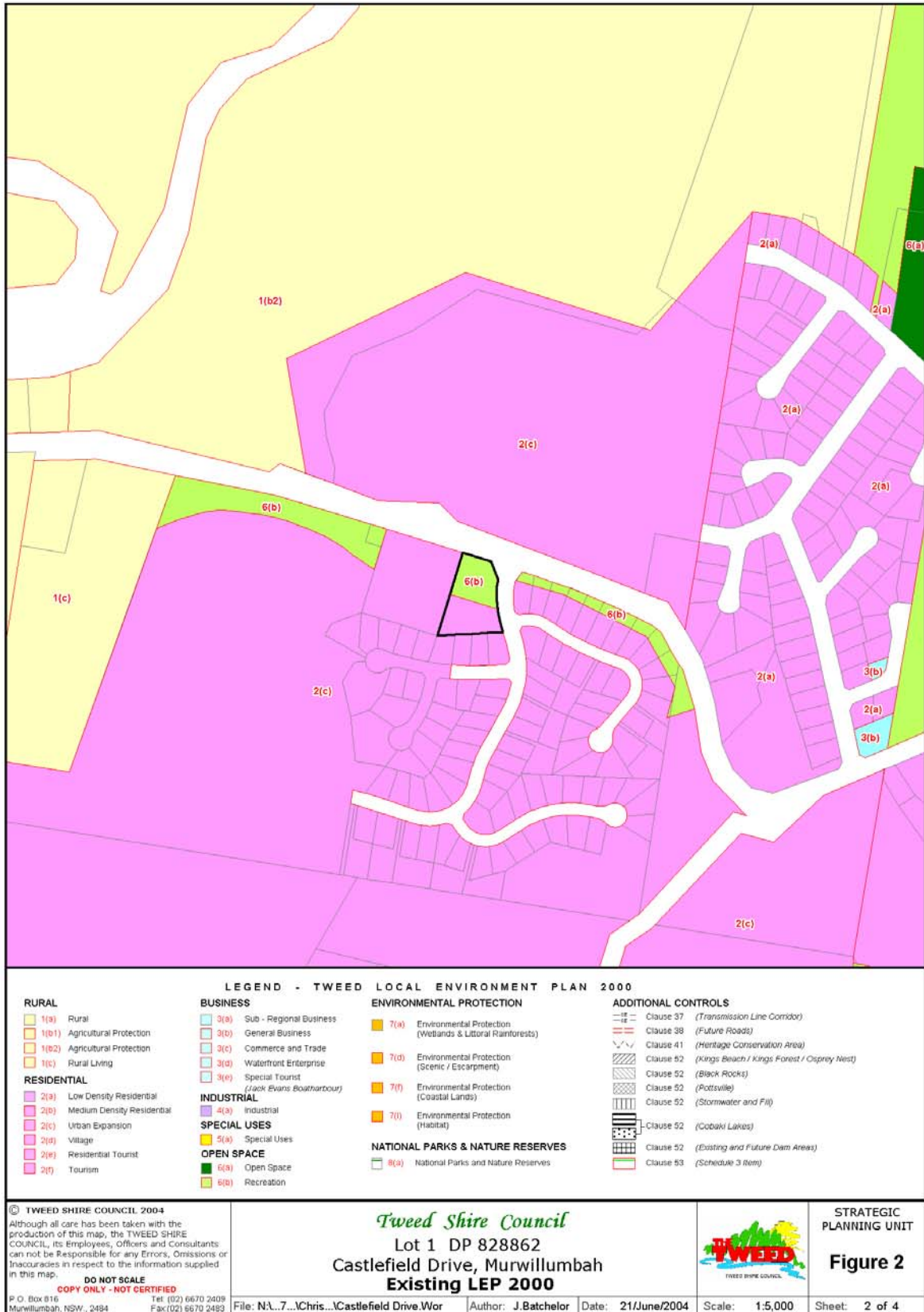
The property adjoins approximately five (5) other allotments. Upon four (4) of these are detached houses whilst upon the fifth a church has been developed. Opposite the property on North Arm Road is Wollumbin High School. Castlefield Drive is the main entrance to the surrounding residential estate (Bellevue Heights). The Figure below better illustrates the surrounding land uses.



<p>© TWEED SHIRE COUNCIL 2004 Although all care has been taken with the production of this map, the TWEED SHIRE COUNCIL, its Employees, Officers and Consultants can not be responsible for any Errors, Omissions or Inaccuracies in respect to the information supplied in this map. DO NOT SCALE COPY ONLY - NOT CERTIFIED P.O. Box 816 Murwillumbah, NSW, 2484 Tel: (02) 6670 2409 Fax: (02) 6670 2403</p>	<p style="text-align: center;"><i>Tweed Shire Council</i> Lot 1 DP 828862 Castlefield Drive, Murwillumbah AERIAL PHOTO - Taken 10/9/2000</p>		<p>STRATEGIC PLANNING UNIT Figure 3 Scale: 1:5,000 Sheet: 3 of 4</p>
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Tweed LEP 2000

The subject parcel of land is zoned part 2(c) Urban Expansion and part 6(b) Recreation. The adjoining land is also zoned 2(c) Urban Expansion. The Figure below illustrates the location of the property and the corresponding zoning.



The purpose of the rezoning request is to allow the applicant to build one additional dwelling on that part of site zoned 6(b) Recreation.

History

The subject parcel of land was created as part of the Belleview Heights residential subdivision. Its zoning and that of the adjoining allotments were identified in a planning study for the area undertaken as an amendment to Tweed LEP 1987. The purpose of the 6(b) zoning adjoining North Arm Road is to provide for passive open space, stormwater control and the protection of remnant vegetation.

In 2002 Council through Development Consent DA02/0985 approved the development of six (6) small-detached dwellings on the site having access from one common driveway and located south of the stormwater channel on that part of the property zoned 2(c) Urban Expansion.

The applicant proposes that a seventh (7) dwelling should be permissible north of the stormwater channel on that part of the site zoned 6(b) Recreation.

Planning Issues

Access

Access to each of the six detached dwellings is via a common driveway off Castlefield Drive. It is considered that access to the site of the proposed seventh dwelling must also be from the same driveway due to the location of the allotment in relation to the intersection of North Arm Road and Castlefield Drive.

Access from any other point on the property is considered by Council Engineers to be inappropriate, as a second point of access would be likely to lower the level of safety experienced by drivers and pedestrians using the intersection.

A visual inspection of site indicates that it is possible for the driveway to be extended so that it connects with the location of the proposed seventh dwelling. The design and development of the driveway will need to be in accordance with Council's development standards.

Stormwater/Flooding

The subject site is likely to be affected by flooding during peak storm events. Stormwater generated by the Belleview Heights Estate flows towards North Arm Road and the stormwater channel located in the middle of the property.

Rezoning of the subject land does not approve the construction of the owners intended development it simply indicates that a possibility exists to further develop the land in accordance with Council's development standards.

Council Engineers visually inspected the subject property and indicated that a possibility does exist for the site to be further developed, but requested that a more detailed assessment of the site be completed as part of the LEP rezoning process. The assessment is to include an analysis of the probable impacts that the development will have on the flow of stormwater particularly impacts associated with any earthworks and the ability of the development to withstand a peak storm event.

Amenity

Castlefield Drive is the main entrance to the surrounding residential area commonly referred to as Belleview Heights. The subject property being partially zoned 6(b) Recreation provides a vegetated buffer between North Arm Road and the adjoining homes. It is important that this buffer remain in the future for both safety and aesthetic reasons.

Rezoning of the entire subject site to 2(c) Urban Expansion so that an additional dwelling house can be constructed on the property is considered inappropriate and in opposition of ensuring that a vegetated buffer along North Arm Road is maintained.

A visual inspection of the property indicates that an already cleared portion of the land is more than adequate to accommodate the erection of a dwelling house. Therefore to ensure that a vegetated buffer is maintained along North Arm Road a strip of land adjoining the road should remain zoned as 6(b).

Loss of Open Space

The purpose of the 6(b) zoning is to designate land suitable for recreation purposes. In light of the size, shape and location of the subject allotment its use for active and/or passive recreation is not evident. The part 6(b) zoning of the property is more useful in ensuring the site's remnant vegetation is protected.

Recent subdivision of additional stages of the Belleview Heights Estate has provided the local community open space that is far better and more centrally located. Rezoning of the subject allotment to allow for the construction of one additional dwelling is considered not to impact on the amount of open space provided in the area.

Statutory Planning Legislation

Strategic Plan 2000+

Policies 1, 3, 4, 6, 7 - Environmental Protection

The proposed LEP Amendment is considered to be minor and will not significantly impact on the Council's strategic planning principles relating to Environmental Protection.

Policies 50, 103, 112 - Urban and Community Development/Management

Given the minor nature of the subject LEP Amendment, the proposal is not envisaged to impact on Council's strategic planning principles with regard to the provision of community services and/or sustainable development.

Tweed LEP 2000

This has been discussed previously within this report.

North Coast Regional Environmental Plan

Clause 45 Plan preparation - hazards

Although stormwater collected from the surrounding residential area flows toward and through the subject site, conditions of development consent can ensure that the proposal does not impact on the flow of stormwater and/or the ability of the development to withstand a peak storm event.

Clause 53 Plan preparation - primary arterial roads

Whilst the proposal is for the erection of one additional dwelling on the subject site access to North Arm Road will not be permissible. Therefore the Amendment of Tweed LEP 2000 is in accordance with clause 53 of the North Coast REP.

Clause 78 Plan preparation - public recreation areas

Given the minor nature of the subject LEP Amendment, the proposal is considered to not have a detrimental impact on the provision of open space in the area. The size, shape and location of the subject site prevent it from providing any significant active or passive open space to the community.

State Legislation

The Proposed LEP Amendment is considered consistent with the relevant State Environmental Planning Policies and S117 Ministerial Directions. Consultation with relevant State Agencies will be undertaken as part of the Section 62 consultation in accordance with the Environmental Planning and Assessment Act 1979.

Local Environmental Study

The proposed LEP Amendment is to rezone part of the subject allotment to 2(c) Urban Expansion and to allow for the construction of an additional dwelling house. It is considered that the subject LEP Amendment is of a minor nature and hence, the need for an Environmental Study should be waived.

As part of the proposed LEP Amendment an assessment of what impact the proposed development will have on the flow of stormwater is required as well as an assessment of

the site's capability to withstand peak storm events. The Owner of the subject allotment will need to provide Council with the necessary resources to undertake these before Council should be willing to proceed with the Amendment.

Work Program

The proposed LEP Amendment is not included in the current Strategic Planning Work Program. Council on the 17th December 2003 resolved to allow the Director of Development Services to bring forward any minor LEP Amendments as resources may permit. The proposed LEP Amendment is considered to be of a minor nature and hence, provided the Owner of the subject allotment makes the necessary resources available to complete an assessment of the site regarding the identified stormwater issues it is considered that Council should resolve to proceed with the Amendment.

Conclusion

The proposed LEP Amendment is considered to be generally consistent with the legislative requirements of the North Coast Regional Environmental Plan and S117 Directions. The proposed Amendment is considered to be generally consistent with the character and amenity of the surrounding area and is not expected to be detrimental to the surrounding environment. From a strategic planning perspective the proposed LEP Amendment is considered to be minor.

It is recommended that Council proceed to amend Tweed Local Environmental Plan 2000 to allow the erection of one additional dwelling house on the subject allotment.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

4 [DS] Proposed Surf Lifesaving Facility and Club - SALT

ORIGIN:

Strategic Town Planning

FILE NO: DA04/0168

SUMMARY OF REPORT:

Following the approval of the Development Application for Surf Lifesaving Facilities at SALT, the Ray Group have made application to Surf Lifesaving NSW (SLNSW) for the formulation of a formal Surf Lifesaving Club to replace that facility. The proposed Club is sought in accordance with the requirements of the following conditions attached to the Master Plan and subdivision approval for SALT.

The proponents have been informed that this request may be premature now, as a further development application will need to be considered by Council for the proposed expansion of the approved surf lifesaving facility.

Also, Council has recently engaged a consultant to prepare an overall strategy for the surf lifesaving needs for the Tweed Coast.

In addition, a further issue for Council concerns the funding implications of a further Surf Club. Council provides a range of funding to clubs, including funds from Section 94 Contributions.

RECOMMENDATION:

That this item be deferred until the Development Application for the expansion of the Surf Lifesaving Facility and Club at SALT and the overall strategy for surf lifesaving needs on the Tweed Coast has been considered by Council.

REPORT:

Following the approval of the Development Application for Surf Lifesaving Facilities at SALT, the Ray Group have made application to Surf Lifesaving NSW (SLNSW) for the formulation of a formal Surf Lifesaving Club to replace that facility. The Ray Group has requested Council's support in the following terms:

"In regards to the Salt Master Plan and Subdivision DA 02/1422 and the conditions that relate to the establishment of the Surf Lifesaving facilities for the estate, you would probably be aware that we have made application to Surf Lifesaving NSW (SLSNSW) for the formation of a formal Surf Lifesaving Saving Club to replace the facility recently approved by Council.

Our decision to attempt to create a Club has come from numerous discussions with our Surf Lifesaving Consultant, Committee members of SLSNSW, Mr. Wilson Cregan (Northern NSW Manager SLSNSW) and members of the local Cudgen Surf Club.

We have lodged a formal submission with SLSNSW and they are currently processing that application.

As part of their assessment they are seeking confirmation from Council that Council would support the establishment of a Surf Lifesaving Club under the control of SLNSW at the Salt Project.

Our intention is to expand the existing approved building into probably a two storey structure that allows for a club and meeting room on the first floor. Our architects are currently designing the additions to the building and we will shortly be lodging a new Development Application with you for this new two storey building.

As part of your processing and management of the conditions of approval for Salt we have provided you with copies of the SLSNSW Beach Audit and Management Plan Reports which go to substantiate the requirement of Surf Lifesaving facilities at Salt.

We expect that this Club will attract approximately 40 members and will be a safety, social and competition driven Club.

It is not intended for the Club to include food and beverage or any gaming facilities. This will be a Club purely for its Surf Lifesaving members.

Therefore I request that Council issue to us a letter of support for establishment of a permanent Club at Salt to assist us with satisfying the requirements of SLSNSW.

If you require a copy of the formal application for the formation of the Club to SLSNSW please advise".

The following initial response was provided to the request:

"Further to your email dated 10 June 2004 requesting Council support for the formation of a Surf Lifesaving Club at SALT development.

This request may be premature now as a further development application will need to be considered by Council for the proposed expansion of the approved surf lifesaving facility.

It is considered inappropriate for Council to provide support for the formation of a surf lifesaving club prior to consideration of the development application. Also, Council has recently engaged a consultant to prepare an overall strategy for the surf lifesaving needs for the Tweed Coast. Again, it may be premature to provide a decision of support for the formation of a surf lifesaving club at SALT prior to an overall strategy being considered by Council. In view of these points would you please confirm if you wish your request for Council support for the formation of a surf lifesaving club to proceed to Council at this time".

The Ray Group have requested the formal response of Council. In addition to the points raised in Council's letter a further issue for Council concerns the funding implications of a further Surf Club. Council provides a range of funding to clubs, including from Section 94 Contributions.

The proposed Club is sought in accordance with the requirements of the following conditions attached to the Master Plan and subdivision approval for SALT.

"14. Arrangements shall be made for surf lifesaving facilities prior to opening of the Outrigger Resort to the satisfaction of Council.

The applicant shall provide permanent surf lifesaving facilities for patrons of the resorts, future residents and visitors. The applicant is required to construct and equip a surf lifesaving facility in the location nominated on the master plan and in accordance with the requirements of a future Strategic Planning report for surf lifesaving to be completed by Surf Life Saving New South Wales (at the cost of the applicant).

A separate development application and construction certificate for the surf lifesaving building is to be submitted and approved prior to the construction of the permanent facility."

"15. The ongoing resourcing of the surf lifesaving facilities for a period of 10 years shall be by the resort operators and the applicant is to ensure that that each tourist resort development on the project will be required to annually contribute to the annual running costs of the surf lifesaving facility on the SALT development with the contributions being based on a share per tourist resort room of the costs of maintaining the facility with professional life guards contracted through Surf Lifesaving New South Wales."

"16. The applicant shall indemnify Council in regard to the cost of provision of services by Surf Lifesaving New South Wales for patrolling of Council's beach which borders the Salt Development for the 10 year period."

"17. The land and building containing the surf lifesaving facility is to be transferred to Council upon completion. Council will lease the facility to the body corporate of the resort/s for \$1 per year for 10 years."

Consequently, any funding implications for Council are long term.

OPTIONS

The options available to Council may be summarised as follows:

1. Decline to provide any comment on the grounds that it would be premature pending the outcome of any Development Application for the Surf Club and Council's Surf Lifesaving Strategy.
2. Provide informal support without prejudice to Council's determination of the Development Application for the Surf Club.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

REPORTS FROM EXECUTIVE MANAGER - OFFICE OF THE GENERAL MANAGER

5 [OGM] 2004 Water Management Conference-10-12 August 2004 at Moama Bowling Club

ORIGIN:

Executive Manager

SUMMARY OF REPORT:

A request has been received from the Mayor, Cr W Polglase, to attend the 2004 Water Management Conference which is being held in Moama from 10-12 August 2004.

RECOMMENDATION:

That Council grants approval for the Mayor, Cr W Polglase, to attend the 2004 Water Management Conference in Moama from 10-12 August 2004.

REPORT:

A request has been received from the Mayor, Cr W Polglase, to attend the 2004 Water Management Conference which is being held in Moama from 10-12 August 2004.

The estimated costs are:-

Early bird registration	\$330.00 (inclusive of GST)
Return Air Fare	\$250.00
Accommodation	\$480.00 (estimated 4 nights @ 120.00 per night)

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Funds have been provided in the current budget for such expenditure.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

1. Conference information including Overview and Program.
-

6 [OGM] Councillor Training

ORIGIN:

Administration Services

SUMMARY OF REPORT:

Lismore City Council is proposing to conduct a seminar on the Local Government Planning System for Councillors, particularly newly elected Councillors. Interest from Councillors is now sought.

RECOMMENDATION:

That Councillors interested in attending such a seminar please contact the Manager Administration Services.

REPORT:

The Mayors and General Managers of the Local Councils at their monthly meeting have agreed to conduct a seminar on the Local Government Planning System.

It is proposed that this be conducted on a joint cost sharing basis and co-ordinated by Lismore City Council. The agenda items would be topical, with the Planning Directors of each Council providing agenda items. Suggested presentations have included:

- Katrina Gregory from the Local Government and Shires' Association.
- Representative from the Department of Infrastructure, Planning & Natural Resources.
- Representative from Independent Commission Against Corruption (ICAC) regarding corrupt behaviour
- Environmental Planning & Assessment Act and Local Government Act legislative issues.
- Planfirst - the latest.

Should any Councillor be interested in attending such a seminar please contact the Manager Administration Services, Mr Brian Donaghy, so that the matter may be further progressed.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Minor.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

7 [OGM] Kingscliff & District Chamber of Commerce - Art, Food & All That Jazz Festival

ORIGIN:

General Manager

SUMMARY OF REPORT:

Council at its Ordinary Meeting of 16 June 2004 resolved that in relation to the Art, Food & All That Jazz Festival conducted by the Kingscliff & District Chamber of Commerce, that:

"Council does not accept this report until a full audited report is received from the Kingscliff and District Chamber of Commerce and Minutes of their Committee be provided, authorising the payment of individual payments made."

The President, Ms Rose Wright, of the Chamber contacted the General Manager on Friday, 19 June 2004 requesting a meeting with the Mayor and General Manager and Ms Wright advised that she would be accompanied by another member. The General Manager received the attached correspondence dated 17 June 2004.

The meeting was held on Monday, 21 June 2004 with Mr Des Ireland being the other member.

The discussion centred about the issues as detailed in the correspondence dated 17 June 2004 and others which are detailed in attached correspondence from Kingscliff & District Chamber of Commerce dated 21 June 2004 received by the General Manager 22 June 2004.

Note: A separate agenda item has been prepared as a request for funding for the Festival for 2004/2005.

RECOMMENDATION:

That Council determines the matter.

REPORT:

As per summary of report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

1. Confidential Attachment - Letter dated 17 June 2004 from Kingscliff & District Chamber of Commerce (DW 1054902)
 2. Confidential Attachment - Letter dated 21 June 2004 from Kingscliff & District Chamber of Commerce (DW 1055318)
-

8 [OGM] Request for Financial Assistance 2004/2005 - Kingscliff Art Food & All That Jazz Festival

ORIGIN:

Corporate Performance

SUMMARY OF REPORT:

Council advertises and invites applications twice a year for grant funds under Section 356 of the Local Government Act, 1993. Council receives all first round applications prior to the end of February and second round applications prior to the end of August.

The Kingscliff & District Chamber of Commerce has made a late application for financial assistance of \$7,000.00 excluding GST for their 2004 Kingscliff Art, Food and All That Jazz Festival, which is planned to be conducted between 6 to 9 August 2004 and it is before Council considers the next round of funding applications on 18 August 2004. A Council decision regarding the application is required to enable the Chamber of Commerce to finalise its budget and event details.

At this point in time, if Council determines to allocate \$7,000.00 from the 2004/2005 Budget for the Art, Food & All That Jazz Festival, the funds would be released after 1 July 2004.

RECOMMENDATION:

That Council determines this matter.

REPORT:

The Kingscliff & District Chamber of Commerce has made a late application for financial assistance of \$7,000.00 excluding GST for their 2004 Kingscliff Art, Food and All That Jazz Festival, which is planned to be conducted between 6 to 9 August 2004 and it is before Council considers the next round of funding applications on 18 August 2004. A Council decision regarding the application is required to enable the Chamber of Commerce to finalise its budget and event details.

At this point in time, if Council determines to allocate \$7,000.00 from the 2004/2005 Budget for the Art, Food & All That Jazz Festival, the funds would be released after 1 July 2004.

The 2003/2004 Budget allocation for donations was \$33,500.00 and was expended as follows:

1ST Round	
Tweed Valley Banana Festival	\$8,500.00
Murwillumbah & District Senior Citizen's Week Committee	\$4,500.00
2nd Round	
CWA of NSW - Murwillumbah Evening Branch	\$2,500.00
Kingscliff Beachside Festival	\$4,500.00
Speed on Tweed	\$4,500.00
Tweed Byron Local Aboriginal Land Council	\$2,000.00
Tweed Coolangatta Chess Club Inc.	\$500.00
Tyalgum Festival Committee Inc.	\$4,000.00
Wollumbin Dreaming Inc.	\$2,500.00
TOTAL	\$33,500.00

In respect of 2004/02005 an amount of \$33,990.00 has been allocated in the Budget, however, \$7,500.00 has been donated to Wintersun, which leaves a balance of \$26,490.00 to be allocated.

From the 2002/2003 Budget, Council donated an amount of \$4,000.00 excluding GST to the 2003 Kingscliff Art, Food and All That Jazz Festival.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

2004/2005 Budget allocation for Festivals - \$33,990.00.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

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9 [OGM] Tweed Economic Development Corporation (TEDC) - Renewal of Performance Agreement

ORIGIN:

Corporate Performance

SUMMARY OF REPORT:

The Tweed Economic Development Corporation (TEDC) has requested Council to consider renewing its current three-year performance agreement with Council, which is due to expire on 30 June 2005. The basis for the request is that TEDC is intending to appoint a Business Development Officer to a preferable three (3) year contract, but is unable to complete the appointment due to the expiration of the current performance agreement.

In the 2004/2005 Budget, Council has allocated an additional \$50,000 to TEDC for the appointment of this Officer.

A suggestion is that the performance agreement be renewed and the expiration date be 31 December 2008, so it is tied to the term of the Council.

RECOMMENDATION:

That Council determines this matter.

REPORT:

TEDC has requested Council to consider renewing its current three-year performance agreement with Council, which is due to expire on 30 June 2005. The basis for the request is that TEDC is intending to appoint a Business Development Officer to a preferable three (3) year contract, but is unable to complete the appointment due to the expiration of the current performance agreement.

In the 2004/2005 Budget, Council has allocated an additional \$ 50,000 to TEDC for the appointment of this Officer.

The performance agreement describes the obligations of TEDC for the provision of services to Council and the Tweed community, how its performance is to be measured and Council's requirement to provide funding to TEDC.

A suggestion is that the performance agreement be renewed and the expiration date be 31 December 2008, so it is tied to the term of the Council.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

A new performance agreement for the Tweed Economic Development Corporation (TEDC) is required.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

10 [OGM] Application for Special Variation to General Income

ORIGIN:

Financial Services

SUMMARY OF REPORT:

Council has received advice from the Minister for Local Government, the Honourable Tony Kelly MLC, approving Council's application for a special variation to General Income by 7.48%.

RECOMMENDATION:

That this report be received and noted.

REPORT:

Application for Special Variation to General Income

Council has received advice from the Minister for Local Government, the Honourable Tony Kelly, MLC, approving of Tweed Shire Council application for a special variation to general income of 7.48%. The approved increase comprises the general variation of 3.50% and the special variation of 3.98%.

BACKGROUND:

Application for Special Variation to General Income

The Minister, in pursuance of section 506 of the Local Government Act 1993, specified the percentage by which council's general income may be varied in 2004/05 year as 3.50%

Council subsequently submitted a section 508(2) application for a special variation above the 3.50% to include:-

Asset Management – 2%	\$466,062} estimate only
Unsealed Rural Roads – School Bu Routes – 2%	\$466,062} estimate only

2004/05 Budget

The Ministerial approval will allow Council to implement the works programs associated with the above application.

The seven year approval is on the understanding that the Council makes and levies its rates according to the provisions of the Local Government Act 1993 and Council should continue to review its operations to identify where further efficiencies and tangible savings can be achieved. Council is required to report outcomes and expenditure of the rate increase in its annual report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

As adopted in the 2004/05 Budget.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

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11 [OGM] Making of the Rate 2004/2004

ORIGIN:

Financial & Information Services

SUMMARY OF REPORT:

The basis of this report is the formal Making of the Rate for 2004/2005.

RECOMMENDATION:

That :-

1. Council makes the 2004/2005 rates in accordance with the provisions of sections 405, 406, 493, 494, 495, 496, 501, 553 and 508 of the Local Government Act 1993:-

(a) Ordinary Rates (section 494)

(i) Residential Rate

A Residential Rate of .5453 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Residential with a minimum rate of five hundred and eighteen dollars and fifteen cents (\$518.15) in respect of any separate parcel of rateable land.

(ii) Farmland Rate

A Farmland Rate of .3925 cents in the dollar on the rateable land value in the Tweed Shire Council area classified Farmland with a minimum rate of five hundred and eighteen dollars and fifteen cents (\$518.15) in respect of any separate parcel of rateable land.

(iii) Business Rate

A Business Rate of .5453 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Business with a minimum rate of five hundred and eighteen dollars and fifteen cents (\$518.15) in respect of any separate parcel of rateable land.

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

(i) Sewerage Annual Charge

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

annual charge of four hundred and thirty-five dollars (\$435.00) in respect of any separate parcel of rateable land.

(ii) Water Annual Charge

Residential assessments – a service charge of \$106.00

Business assessments – a service charge based on meter size being \$106.00 times the Meter Size Multiplier consumption factors as detailed in Table 1.

A volumetric charge of \$0.68 per kilolitre for all consumption.

Vacant assessments rated to water – a service charge of \$106.00.

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

Table 1. Consumption Factors

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

(iii) Tumbulgum Sewerage Annual Charge

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

LOT 47 SEC 3 DP 1223
 LOT 46 SEC 3 DP 1223
 LOTS 44-45 SEC 3 DP 1223
 LOT 37 SEC 3 DP 1223
 LOT 36 SEC 3 DP 1223
 LOTS 34-35 SEC 3 DP 1223
 LOT 31 SEC 3 DP 1223
 LOT 30 SEC 3 DP 1223
 LOT 34 SEC 2 DP 1223

LOTS 32-33 SEC 2 DP 1223
LOTS 29-30 SEC 2 DP 1223
LOT 28 SEC 2 DP 1223
LOT 37 SEC 1 DP 1223
LOT 1 DP 357241
LOT 2 DP 357241
LOT 41 SEC 1 DP 1223
LOT 42 SEC 1 DP 1223
LOTS 43-44 SEC 1 DP 1223
LOT 50 SEC 1 DP 1223
LOT 51 SEC 1 DP 1223
LOT 52 SEC 1 DP 1223
LOT 53 SEC 1 DP 1223
LOT 54 SEC 1 DP 1223
LOT 55 SEC 1 DP 1223
LOTS 56-57 SEC 1 DP 1223
LOTS 58-59 SEC 1 DP 1223
LOT 60 SEC 1 DP 1223
LOT 2 DP 626425
LOT 10 SEC 6 DP 1223
LOTS 5-6 SEC 6 DP 1223
LOTS 11-12 SEC 5 DP 1223
LOT 2 DP 739552
LOT 5 SEC 4 DP 1223
LOT 6 SEC 4 DP 1223
LOT 7 SEC 4 DP 1223
LOT 50 DP 1911
LOT 49 DP 1911
LOT 21 SEC 2 DP 1223
LOT 22 SEC 2 DP 1223
LOT 23 SEC 2 DP 1223
LOT 67 SEC 6 DP 1223
LOT 68 SEC 6 DP 1223
LOT 3 SEC 6 DP 1223
LOT 2 SEC 6 DP 1223
LOT 1 SEC 6 DP 1223
COR LOT 36 SEC 1 DP 1223
LOT 35 SEC 1 DP 1223
LOT 34 SEC 1 DP 1223
LOT 33 SEC 1 DP 1223
COR LOT 1 SEC 4 DP 1223
LOT 2 SEC 4 DP 1223
LOT 9 SEC 4 DP 1223
LOT 5 SEC 7 DP 1223
LOTS 3/4 SEC 7 DP 1223
LOT 1 SEC 7 DP 1223
LOTS 6-7 SEC 7 DP 1223
LOTS 55-56 SEC 6 DP 1223

LOT 63 & 30-31 SEC 1 DP 1223
LOTS 28/29 SEC 1 DP 1223
LOT 27 SEC 1 DP 1223
LOT 26 SEC 1 DP 1223
LOTS 24-25 SEC 1 DP 1223
LOTS 20/21 SEC 1 DP 1223 20.
LOT 14 SEC 1 DP 1223
LOT 2 DP 799347
LOT 3 DP 799347
LOT 201 DP 865762
LOT 18 SEC 2 DP 1223 & LOT 1 DP 624442
LOT 15 SEC 2 DP 1223
LOTS 9/10 SEC 2 DP 1223
LOT 8 SEC 2 DP 1223
LOTS 6 & 7 DP 1223 SEC 2
LOT 2 DP 563652
LOT 1 DP 584974
LOT 2 DP 584974
LOT 5 SEC 3 DP 1223
LOT 6 SEC 3 DP 1223
LOTS 7/8 SEC 3 DP 1223
LOTS 9/10 SEC 3 DP 1223
LOT 11 SEC 3 DP 1223
LOTS 18/20 SEC 3 DP
LOT 21 SEC 3 DP 1223
LOTS 22/23 SEC 3 DP 1223
LOT 24 SEC 3 DP 1223
LOTS 25-27 SEC 3 DP 1223
LOT 45 SEC 1 DP 1223
LOT 46 SEC 1 DP 1223
LOT 47 SEC 1 DP 1223
LOT 1 DP 626425
LOT 1 DP 574621
LOT 16 SEC 2 DP 1223
LOT 35 SEC 2 DP 1223
LOT 25 SEC 2 DP 1223
LOT 24 SEC 2 DP 1223
LOT 17 SEC 2 DP 1223
LOT 1 DP 739552
LOT 4 SEC 6 DP 1223
LOT 53 SEC 3 DP 1911
LOT 52 SEC 3 DP 1911
LOT 54 DP 1911
LOT 55 DP 1911
LOTS 64-66 SEC 6 DP 1223
LOT 59 SEC 6 DP 1223
LOT 9 SEC 6 DP 1223
LOT 7-8 SEC 6 DP 1223

LOT 41 DP 812273
LOT 40 DP 812273
LOT 48 SEC 1 DP 1223
LOT 49 SEC 1 DP 1223
LOT 62 SEC 6 DP 1223
LOTS 26-27 SEC 2 DP 1223
LOT 15 SEC 1 DP 1223
LOT 63 SEC 6 DP 12233
LOTS 9-13 SEC 1 DP 1223
LOT 4 SEC 4 DP 1223
LOT 61 SEC 1 DP 1223
LOT 31 SEC 6 DP 1223
LOT 1 DP 839857
LOT 2 DP 839857
LOT 8 SEC 4 DP 1223
LOTS 29-30 SEC 6 DP 1223
LOT 19 SEC 1 DP 1223
LOT 16 SEC 1 DP 1223
LOT 57 SEC 6 DP 1223
LOT 58 SEC 6 DP 1223
LOT 29 SEC 3 DP 1223
LOT 28 SEC 3 DP 1223
LOT 105 107 DP 1011315
LOTS 60-61 SEC 6 DP 1223
LOT 17 DP SEC 1 DP 1223
LOT 18 SEC 1 DP 1223
LOT 4 SEC 1 DP 1223
LOTS 5 & 6 SEC 1 DP 1223
LOT 50 DP 1034037
LOT 51 DP 1034037
LOTS 17-18 SEC 5 DP 1223
LOT 1 DP 1048645 - A0061.0084
LOT 12 Sec 3 DP 1223 - EMT 1054838
LOT 48 DP 1911

(iv) Uki Sewerage Annual Charge

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

LOT 2 DP 535919
LOT 1 DP 535919
LOTS 153 170 DP 755730
LOT 171 DP755730
LOT 152 DP755730

LOT 173 DP755730
LOT 150 DP 719951
LOT 1 DP 774800
LOT 1 DP 938584
LOT 2 DP 973705
LOT 3 DP 971169
LOT B DP970550
LOT A DP971647
PH NULLUM LOT 4 SEC 1 DP10909
LOT 11 D.P. 618030
LOT 10 D.P.618030
LOT 7 SEC 1 DP 10909
PSH NULLUM LOT 8 SEC 1 DP 10909 38.4 FTGE
LOT B DP 369388
LOT A DP 369388
LOT 2 DP 549954
LOT 31 D.P. 624684
LOTS 1-2 DP 8107
LOT 3 DP 8107
LOTS 4/5 DP 8107
LOTS 7-8 DP 8107
LOT 233 DP 721129 - RESERVE 140022 - UKI HALL
LOT 1 DP400980
LOT 2 DP400980
LOT 1 DP 661876
LOT A & PT LOT B DP385579
PT LOT 183 DP 755730
LOT 1 SEC 3 DP 11045
LOT 2/3 SEC 3 DP 11045
LOT 6 SEC 3 DP 11045
LOT 12 DP 618030
LOT B DP 103527 & LOT 235 DP 727458
LOT A DP 103527
LOT 122 DP755730
LOT 1 DP 103459
LOT 1 DP547960
LOT 1 DP 936275
LOT 127 DP755730
LOT 128 DP755730
LOT 1 DP 571326
LOT 2 DP 571326
LOT 147 DP755730
LOT 146 DP755730
LOT 163 DP 755730
LOT 148 DP755730
LOT 149 DP 755730
LOT 164 DP755730
LOT 160 DP755730

LOT 159 DP 755730
LOT 2 DP 611868
LOT 1 DP 611868
LOT A DP 399999
LOT B DP 399999
LOT 1 DP 609206
LOT 3 DP 700324
LOT 4 DP 700324
LOT 23 DP 263408
LOT 22 DP 263408
LOT 211 DP 263408
LOT 1 DP 255027
LOT 1 DP 625486
LOT 4 DP 255027
LOT 5 DP 255027
LOT 6 DP 255027
LOT 7 DP 255027
LOT 31 DP 632890
LOT 2 DP 263408
LOT 5 DP 263408
LOT 7 DP 263408
LOT 4 DP 263408
LOT 161 DP 755730
LOT 20 DP 263408
LOT 25 DP 263408
LOT 18 DP 263408
LOT 232 DP 721129
LOT 2 DP 731343
LOT 1 DP 731343
PARISH NULLUM LOT 9 DP 778348
LOT 10 DP 263408
LOT 9 DP 263408
LOT 240 DP 729473
LOT 3 DP 792359
LOT 2 DP 792359
LOT 30 DP 632890
LOT 15 DP 263408
LOT 14 DP 263408
LOT 13 DP 263408
LOT 12 DP 263408
LOT 3 DP 814658 SUBJECT TO DRAINAGE EASEMENT
LOT 1 DP 822828
LOT 1 DP 263408
LOT 166 DP 755730
LOT 12 DP 829544
PSH NULLUM LOT 167 DP 755730
PSH NULLUM LOT 165 DP 755730
LOT 1 DP 709540 & LOT 241 DP 729473

LOT 1 DP 870671
LOT 2 DP 870671
LOT 3 DP 871831
LOT 1 DP 861822
LOT 154 DP 755730
LOT 1 DP 876643
LOT 2 DP 876643
PSH NULLUM LOT 155 DP 755730
LOT 4 SEC 3 DP 11045
LOT 5 SEC 3 DP 11045
LOT 1 DP 1002893
LOT 2 DP 1002893
LOTS 1-6 DP 7188
LOTS 2-3 SEC 2 DP 10909
LOTS 3-4 DP 1002893
LOT 9 DP 825218
LOTS 11-12 DP 838447
LOT 10 DP 825218 SUBJ TO DRAINAGE E'MENT
LOTS 1-2 DP 817081

(v) Bilambil Road Sewerage Annual Charge

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

LOT 2 DP 535919
LOT 1 DP 535919
LOTS 153 170 DP 755730
LOT 171 DP755730
LOT 152 DP755730
LOT 173 DP755730
LOT 150 DP 719951
LOT 1 DP 774800
LOT 1 DP 938584
LOT 2 DP 973705
LOT 3 DP 971169
LOT B DP970550
LOT A DP971647
PH NULLUM LOT 4 SEC 1 DP10909
LOT 11 D.P. 618030
LOT 10 D.P.618030
LOT 7 SEC 1 DP 10909
PSH NULLUM LOT 8 SEC 1 DP 10909
LOT B DP 369388

LOT A DP 369388
LOT 2 DP 549954
LOT 31 D.P. 624684
LOTS 1-2 DP 8107
LOT 3 DP 8107
LOTS 4/5 DP 8107
LOTS 7-8 DP 8107
LOT 233 DP 721129 - RESERVE 140022 - UKI HALL
LOT 1 DP400980
LOT 2 DP400980
LOT 1 DP 661876
LOT A & PT LOT B DP385579
PT LOT 183 DP 755730
LOT 1 SEC 3 DP 11045
LOT 2/3 SEC 3 DP 11045
LOT 6 SEC 3 DP 11045
LOT 12 DP 618030
LOT B DP 103527 & LOT 235 DP 727458
LOT A DP 103527
LOT 122 DP755730
LOT 1 DP 103459
LOT 1 DP547960
LOT 1 DP 936275
LOT 127 DP755730
LOT 128 DP755730
LOT 1 DP 571326
LOT 2 DP 571326
LOT 147 DP755730
LOT 146 DP755730
LOT 163 DP 755730
LOT 148 DP755730
LOT 149 DP 755730
LOT 164 DP755730
LOT 160 DP755730
LOT 159 DP 755730
LOT 2 DP 611868
LOT 1 DP 611868
LOT A DP 399999
LOT B DP 399999
LOT 1 DP 609206
LOT 3 DP 700324
LOT 4 DP 700324
LOT 23 DP 263408
LOT 22 DP 263408
LOT 211 DP 263408
LOT 1 DP 255027
LOT 1 DP 625486
LOT 4 DP 255027

LOT 5 DP 255027
LOT 6 DP 255027
LOT 7 DP 255027
LOT 31 DP 632890
LOT 2 DP 263408
LOT 5 DP 263408
LOT 7 DP 263408
LOT 4 DP 263408
LOT 161 DP 755730
LOT 20 DP 263408
LOT 25 DP 263408
LOT 18 DP 263408
LOT 232 DP 721129
LOT 2 DP 731343
LOT 1 DP 731343
PARISH NULLUM LOT 9 DP 778348
LOT 10 DP 263408
LOT 9 DP 263408
LOT 240 DP 729473
LOT 3 DP 792359
LOT 2 DP 792359
LOT 30 DP 632890
LOT 15 DP 263408
LOT 14 DP 263408
LOT 13 DP 263408
LOT 12 DP 263408
LOT 3 DP 814658
LOT 1 DP 822828
LOT 1 DP 263408
LOT 166 DP 755730
LOT 12 DP 829544
PSH NULLUM LOT 167 DP 755730
PSH NULLUM LOT 165 DP 755730
LOT 1 DP 709540 & LOT 241 DP 729473
LOT 1 DP 870671
LOT 2 DP 870671
LOT 3 DP 871831
LOT 1 DP 861822
LOT 154 DP 755730
LOT 1 DP 876643
LOT 2 DP 876643
PSH NULLUM LOT 155 DP 755730
LOT 4 SEC 3 DP 11045
LOT 5 SEC 3 DP 11045
LOT 1 DP 1002893
LOT 2 DP 1002893
LOTS 1-6 DP 7188
LOTS 2-3 SEC 2 DP 10909

LOTS 3-4 DP 1002893
LOT 9 DP 825218
LOTS 11-12 DP 838447
LOT 10 DP 825218 SUBJ TO DRAINAGE E'MENT
LOTS 1-2 DP 817081

(vi) Tweed Heads Streetscaping Special Rate

A Tweed Streetscaping Special Rate of .1313 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land -

LOT 7 DP 167898
LOT A DP 398092
LOT 2 DP 525905
LOT 8 SEC 2 DP 759009
LOTS 2-6 DP 224382
LOT 3 DP 110355
LOT 1 DP 306057
LOT A DP 313926
LOT 1 SP 5287
LOT 2 SP 5287
LOT 3 SP 5287
LOT 4 SP 528
LOT 5 SP 528
LOT 6 SP 5287
LOT 2 DP 229412
LOT 5 DP 549037
LOT 6 DP 549037
LOT 1 SP 10552
LOT 2 SP 10552
LOT 3 SP 10552
LOT 4 SP 10552
LOT 1 DP 534136
LOT 2 DP 101111
LOTS 3-4 DP 420750
LOTS 1-2 DP 420749
COR LOTS 32/35 DP 237678
LOT 64 DP 237806
LOT 2 DP 549328
LOT 1 DP 549328
LOT 61 DP 237806
LOT 60 DP 237806
LOTS 58/59 DP 237806
LOT 57 DP 237806
LOT 56 DP 237806
LOT 55 DP 237806
LOT 54 DP 237806

LOT 53 DP 237806
LOT 52 DP 237806
LOT 1 SP 14263
LOT 2 SP 14263
LOT 3 SP 14263
LOT 4 SP 14263
LOT 5 SP 14263
LOT 1 DP 525413
LOT 1 DP 553728
LOT 1 DP 777183 SUBJ TO E'MENTS
LOT 9 DP 964880
LOT 1 DP 303503
LOT A DP 332137
LOT B DP 332137
LOT 1 DP 962785
LOT 1 DP 962784
LOT 2 SEC 1 - DP 758279
LOT 100 DP 775892
LOT 3 DP 329933
LOT 1 DP 17554
LOT 2 DP 17554
LOT 3 DP 17554
LOT 4 DP 17554
LOT 5 DP 17554
LOT 6 DP 17554
LOT 7 DP 17554
COR LOTS 2 & 3 DP 519757
LOT 1 DP 222704
LOT 1 DP 609342
LOTS A & B DP 373378
LOTS 1 & 2 SEC 4 DP 4570
LOT 30 SEC 4 DP 4043
LOT 1 DP 329246
LOT 2 DP 329247
LOT 3 DP - 329248
LOT 4 DP 329249
LOT 6 SEC 4 DP 4570
LOT A DP 341926 & LOT 28 SEC 4 DP 4043
LOT 10 SEC 4 DP 4570
LOT 11 SEC 4 DP 4570
LOTS 15 SEC 4 DP 4570
LOT 16 SEC 4 DP 4043
LOT 1 SP 14262
LOT 2 SP 14262
LOT 3 SP 14262
LOT 4 SP 14262
LOT 5 SP 14262
LOT 6 SP 14262

LOT 7 SP 14262
LOT 8 SP 14262
LOT 9 SP 14262
LOT 10 SP 14262
LOT 1 SP 32143
LOT 2 SP 32143
LOT 3 SP 32143
LOT 4 SP 32143
CLOSED ROAD
LOT 1 SEC 5 DP 759009 & LOT 23 DP 776673
LOT 672 DP 755740
LOT 3 DP 520173
LOT 1 DP 245697
LOTS 2-3 DP 561138
LOT 1 DP 820693
LOT 19 SEC 4 DP 4043
LOTS 12/14 SEC 4 DP 4570
LOT 1 DP 866236
LOT 1 DP 1007168
LOT 2 DP 1007168
LOT 4 DP 1007168
LOT 1 SP 57664
LOT 2 SP 57664
LOT 3 SP 57664
LOT 4 SP 57664
LOT 5 SP 57664
LOT 6 SP 57664
LOT 7 SP 57664
LOT 8 SP 57664
LOT 9 SP 57664
LOT 10 SP 57664
LOT 11 SP 57664
LOT 12 SP 57664
LOT 13 SP 57664
LOT 14 SP 57664
LOT 15 SP 57664
LOT 16 SP 57664
LOT 17 SP 57664
LOT 18 SP 57664
LOT 100 DP 1021860
LOT 1 SP 70355
LOT 2 SP 70355

(vii) Koala Beach Special Rate

A Koala Beach Special Rate of .0862 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land -

LOT 953 DP 864092
LOT 1 DP 86409
LOT 2 DP 864093
LOT 3 DP 864093
LOT 4 DP 864093
LOT 5 DP 864093
LOT 6 DP 864093
LOT 7 DP 864093 EASEMENT(S) SUBJ TO ROC
LOT 8 DP 864093 SUBJ TO DE & SUBJ TO ROC
LOT 9 DP 864093
LOT 10 DP 864093
LOT 11 DP 864093
LOT 12 DP 864093
LOT 13 DP 864093
LOT 16 DP 864093
LOT 17 DP 864093
LOT 18 DP 864093
LOT 19 DP 864093
LOT 20 DP 864093
LOT 21 DP 864093
LOT 30 DP 864094
LOT 31 DP 864094
LOT 32 DP 864094
LOT 33 DP 864094
LOT 34 DP 864094
LOT 35 DP 864094
LOT 36 DP 864094
LOT 37 DP 864094
LOT 38 DP 864094
LOT 39 DP 864094
LOT 40 DP 864094
LOT 41 DP 864094
LOT 42 DP 864094
LOT 43 DP 864094
LOT 44 DP 864094
LOT 45 DP 864094
LOT 46 DP 864094 SUBJ TO SEWER E'MENT
LOT 47 DP 864094 SUBJ TO DE
LOT 48 DP 864094
LOT 49 DP 864094 SUBJ TO DE
LOT 50 DP 864094 SUBJ TO DE
LOT 51 DP 864094
LOT 52 DP 864094
LOT 53 DP 864094
LOT 54 DP 864094
LOT 55 DP 864094
LOT 56 DP 864094

LOT 57 DP 864094
LOT 58 DP 864094
LOT 59 DP 864094
LOT 60 DP 864094
LOT 61 DP 864094
LOT 62 DP 864094
LOT 63 DP 864094
LOT 64 DP 864094
LOT 65 DP 864094
LOT 66 DP 864094
LOT 67 DP 864094
LOT 68 DP 864094
LOT 69 DP 864094
LOT 70 DP 864094
LOT 71 DP 864094
LOT 72 DP 864094
LOT 73 DP 864094
LOT 74 DP 864094
LOT 75 DP 864094
LOT 76 DP 864094
LOT 77 DP 864094
LOT 78 DP 864094
LOT 79 DP 864094
LOT 80 DP 864094
LOT 81 DP 864094
LOT 82 DP 864094
LOT 83 DP 864094
LOT 84 DP 864094
LOT 85 DP 864094
LOT 86 DP 864094
LOT 87 DP 864094
LOT 88 DP 864094
LOT 91 DP 864094
LOT 92 DP 864095
LOT 93 DP 864095
LOT 94 DP 864095
LOT 95 DP 864095
LOT 96 DP 864095
LOT 97 DP 864095
LOT 98 DP 864095
LOT 99 DP 864095
LOT 100 DP 864095
LOT 101 DP 864095
LOT 14 DP 870694
LOT 15 DP 870694
LOT 22 DP 870695
LOT 23 DP 870695
LOT 24 DP 870695

LOT 25 DP 870695
LOT 26 DP 870695
LOT 27 DP 870695
LOT 28 DP 870695
LOT 29 DP 870695
LOT 213 DP 1033384
LOT 214 DP 1033384
LOT 215 DP 1033384
LOT 216 DP 1033384
LOT 217 DP 1033384
LOT 218 DP 1033384
LOT 219 DP 1033384
LOT 220 DP 1033384
LOT 221 DP 1033384
LOT 222 DP 1033384
LOT 223 DP 1033384
LOT 224 DP 1033384
LOT 225 DP 1033384
LOT 226 DP 1033384
LOT 227 DP 1033384
LOT 228 DP 1033384
LOT 229 DP 1033384
LOT 230 DP 1033384
LOT 231 DP 1033384
LOT 232 DP 1033384
LOT 233 DP 1033384
LOT 234 DP 1033384
LOT 235 DP 1033384
LOT 236 DP 1033384
LOT 237 DP 1033384
LOT 238 DP 1033384
LOT 239 DP 1033384
LOT 240 DP 1033384
LOT 241 DP 1033384
LOT 242 DP 1033384
LOT 243 DP 1033384
LOT 244 DP 1033384
LOT 245 DP 1033384
LOT 246 DP 1033384
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LOT 211 DP 1033384
LOT 451 DP 1040725
LOT 452 DP 1040725
LOT 453 DP 1040725
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LOT 456 DP 1040725
LOT 457 DP 1040725
LOT 458 DP 1040725
LOT 459 DP 1040725
LOT 460 DP 1040725
LOT 461 DP 1040725
LOT 301 DP 1049060
LOT 302 DP 1049060
LOT 303 DP 1049060
LOT 304 DP 1049060
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LOT 351 DP 1049061
LOT 352 DP 1049061
LOT 353 DP 1049061
LOT 354 DP 1049061
LOT 355 DP 1049061
LOT 356 DP 1049061
LOT 357 DP 1049061
LOT 909 DP 1052079
LOT 339 DP 1052080
LOT 370 DP 1052082
LOT 371 DP 1052082
LOT 372 DP 1052082
LOT 373 DP 1052082
LOT 374 DP 1052082
LOT 375 DP 1052082
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LOT 393 DP 1052083
LOT 394 DP 1052083
LOT 395 DP 1052083
LOT 396 DP 1052083
LOT 397 DP 1052083
LOT 398 DP 1052083
LOT 399 DP 1052083
LOT 400 DP 1052083
LOT 401 DP 1052083
LOT 402 DP 1052083
LOT 403 DP 1052083
LOT 404 DP 1052083
LOT 405 DP 1052083
LOT 406 DP 1052083
LOT 407 DP 1052083
LOT 408 DP 1052083
LOT 409 DP 1052083
LOT 410 DP 1052083
LOT 411 DP 1052083
LOT 412 DP 1052083
LOT 413 DP 1052083
LOT 414 DP 1052083
LOT 415 DP 1052083
LOT 416 DP 1052083
LOT 417 DP 1052083
LOT 418 DP 1052083
LOT 419 DP 1052083
LOT 420 DP 1052083
LOT 421 DP 1052083
LOT 422 DP 1052083
LOT 423 DP 1052083
LOT 424 DP 1052083
LOT 425 DP 1052083
LOT 426 DP 1052083

LOT 90 DP 864094
LOT 212 DP 1033384
LOT 89 DP 864094
LOT 200 DP 1033384

(viii) Burringbar-Mooball Sewerage – Annual Charge

A Burringbar-Mooball Sewerage Annual Charge for all rateable land which will be serviced by the Burringbar/Mooball Sewerage Scheme of the Tweed. An annual sewerage charge of three hundred and fifty dollars (\$350.00) in respect of any separate parcel of rateable land within the Mooball/Burringbar area. The following is a description of the applicable land:-

PT LOT 1 SEC 1 DP 3090
LOT 6 DP 5114
LOT 5 DP 5114
LOTS 13-14 DP 5114
LOT 1 DP 126083
LOT 1 DP 348185
LOT 3 SEC 1 DP 3090
LOT 2 DP 360551
LOT 1 DP 388082
LOT 3 DP 574439
LOT 1 DP 503384
LOT 7 SEC 1 DP 3090
LOT 8 SEC 1 DP 3090
LOT 10-10A SEC 1 DP 6696
LOT 1 DP 771720
LOT 1A SEC 2 DP 6696
LOTS 2-2A SEC 2 DP 6696
LOTS 3-3A SEC 2 DP 6696
LOTS 4-4A SEC 2 DP 6696
LOT 5 SEC 2 DP 6696
LOT 12 DP 571794
LOT 10 SEC 2 DP 3090
LOT A DP 380818
LOT B DP 380818
LOT 1 DP 377857
LOT 2 DP 377857
LOT 3 DP 377857
LOTS 4/5 DP 379207
LOT 6 DP 261790
LOT 7 DP 261790
LOT 8 DP 261790
LOT 9 DP 261790
LOT 10 DP 261790
LOT 14 DP 261790
LOT 16 DP 261790

LOT 17 DP 261790
LOT 18 DP 261790
LOT 19 DP 261790
LOT 20 DP 261790
LOT 4 SEC 2 DP 2853
LOT 2 DP 261790
LOT 3 DP 261790
LOT 5 DP 261790
LOT 7 DP 617837
LOT 6 DP 617837
LOT 1 DP 517616
LOT 5 DP 563017
LOT 2 DP 701606
LOT 1 DP 701606
LOT 3 DP 542839
LOT 1 DP 801130
LOTS A-D DP 6624
LOT E DP 6624
LOT I DP 6624
LOTS J & K DP 6624
LOT 2 DP 705526
LOT B DP 408782
LOT A DP 403665
LOT 1 DP 383810
LOTS 1-3 DP 124446
LOT 1 DP 124445
LOT 2 DP 124445
LOT 1 DP 124444
LOT 2 DP 124444
LOT 16 SEC 1 DP 2853
LOT 17 SEC 1 DP 2853
LOT 11 DP 866170
LOT 2 DP 228425
LOT 4 DP 607681
LOT 3 DP 607681
LOT 1 DP 972819
LOT 6 DP 381443
LOT 1 DP 378287
LOT 1 DP 379905
LOT 1 DP 398418
LOT 1 DP 227947
LOT 1 DP 664695
LOT 1 DP 231691
LOT 2 DP 231691
LOT 2 DP 5726
LOT 3 DP 5726
LOT 14 DP 631001
LOT 15 DP 631001

LOTS 6/7 DP 5726
LOTS 8/9 DP 5726
LOTS 10/11 DP 5726
LOTS 12/13 DP 5726
LOTS 14-15 DP 5726
LOT 1 DP 124443
LOT 4 DP 877090
LOT 5 DP 877090
LOT 1 SEC 3 DP 2853
LOTS 24/26 DP 597517
LOT 27 DP 597517
LOT 8 SEC 3 DP 2853
LOT 1 DP 332658
LOT A DP 363236 VOL 5985 FOL 159
LOT B DP 363236 VOL 6486 FOL 70
LOT 10 SEC 1 DP 17414
LOT 9 SEC 1 DP 17414
LOT 8 SEC 1 DP 17414
LOT 7 SEC 1 DP 17414
LOT 6 SEC 1 DP 17414
LOT 5 SEC 1 DP 17414
LOT 4 SEC 1 DP 17414
LOT 3 SEC 1 DP 17414
LOTS 1-2 DP 316479
LOT 1 DP 329318
LOT 1 DP 393596
LOT 1 DP 123205
LOT 3 DP 329318
LOT 4 SEC 2 DP 17414
LOT C DP 370478
LOTS D/E DP 370478
LOT A DP 420797 & LOT F DP 370478
LOTS A-B DP 403876
LOT 2 DP 316482
LOT 3 DP 659959
LOT 1 DP 129581
LOT 1 DP 369445
LOT B DP 365259
LOT A DP 354678
LOTS 1-2 DP 26048
PH MOOBALL LOT 3 DP 26048
LOT 1 DP 231846 SUBJ TO R O W
LOT 2 DP 534493
LOT 3 DP 621019
LOT 2 SEC 3 DP 3090
LOT 3 SEC 3 DP 3090
LOT 4 SEC 3 DP 3090
LOT 5 SEC 3 DP 3090

LOTS 6/7 SEC 3 DP 3090
LOT 1 DP 134112 & LOT 1 DP 444022
LOT 2 DP 603957
LOT 1 DP 603957
COR LOT 21 DP 5726
COR LOT 1 SEC 4 DP 3090
LOT 2 SEC 4 DP 3090
LOT 3 SEC 4 DP 3090
LOT 4 SEC 4 DP 3090
LOT 5 SEC 4 DP 3090
LOT 6 SEC 4 DP 3090
LOT 7 SEC 4 DP 3090
LOT 15 SEC 1 DP 2853
LOT 1 DP 705526
LOT 16 DP 712033
LOT 9 SEC 3 DP 2853
LOT 1 DP 780313
LOT 1 DP 812763
LOT D DP 366531
LOT 14 DP 716554
LOT 15 DP 716554
LOT 1 DP 1026551
LOT 12 DP 866170
LOT 1 DP 107628 - PMS 03320 BURRINGBAR
LOTS 8/9 DP 383174
LOT 1 DP 805475
LOT 2 DP 812763
LOT 11 SEC 1 DP 2853
LOT 10 SEC 1 DP 2853
LOT 14 SEC 1 DP 2853
LOT 1 DP 828287
LOT 1 DP 835350
LOT 2 DP 835350
LOT 3 DP 828280
LOT 3 DP 124444
LOT 9 SEC 1 DP 2853
LOT 25 DP 871153
LOT 1 DP 872622
LOT 2 DP 872622
LOT 1 DP 124646
LOT A DP 366531
LOT B DP 366531
LOT C DP 366351

(ix) Dobbys Crescent Sewerage Annual Charge

A Dobbys Crescent Sewerage Annual Charge for all rateable land which will be serviced by the Dobbys Crescent Sewerage Scheme

of the Tweed. An annual sewerage charge of four hundred and fifty dollars (\$450.00) in respect of any separate parcel of rateable land within the Dobbys Crescent area. The following is a description of the applicable land:-

LOT 2 SEC 1 DP 30148
LOT 3 SEC 1 DP 30148
LOT 4 SEC 1 DP 30148
LOT 1 DP 781535
LOT 2 DP 781535
LOT 7 SEC 1 DP 30148
LOT 28 DP 212092
LOT 24 DP 212092
LOT 18 DP 212092
LOT 17 DP 212092
LOT 15 DP 212092
LOT 14 DP 212092
LOT 13 DP 212092
LOT 12 DP 212092 VOL 9332
LOT 11 DP 212092
LOT 10 SEC 2 DP 30148
LOT 9 SEC 2 DP 30148
LOT 8 SEC 2 DP 30148
LOT 4 SEC 2 DP 30148
LOT 3 SEC 2 DP 30148
LOT 2 SEC 2 DP 30148
LOT 1 SEC 2 DP 30148
LOT 1 DP 781539
LOT 5 DP 588767
LOT 3 DP 211196
LOT 19 DP 212092
LOT 20 DP 212092
LOT 21 DP 212092
LOT 22 DP 212092
LOT 23 DP 212092
LOT 25 DP 212092
LOT 6 SEC 2 DP 30148
LOT 7 SEC 2 DP 30148
LOT 32 DP 1013881

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

REPORT:

Council adopted the 2004/2005 Management Plan at its meeting of 16 June 2004. The Plan outlined Council's proposed rate structure including a General Fund notional rate increase of 7.48%. Council is now required to make the rate for 2004/2005.

1. Council adopts the following 2004/2005 Rating Statement:-

In accordance with the provisions of sections 405, 406, 493, 494, 495, 496, 501, 553 and 508 of the Local Government Act 1993, the following rates and charges be made for the year 2004/2005 -

(a) Ordinary Rates (section 494)

(i) Residential Rate

A Residential Rate of .5453 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Residential with a minimum rate of five hundred and eighteen dollars and fifteen (\$518.15) in respect of any separate parcel of rateable land.

(ii) Farmland Rate

A Farmland Rate of .3925 cents in the dollar on the rateable land value in the Tweed Shire Council area classified Farmland with a minimum rate of five hundred and eighteen dollars and fifteen cents (\$518.15) in respect of any separate parcel of rateable land.

(iii) Business Rate

A Business Rate of .5453 cents in the dollar on the rateable land value of all applicable rateable land in the Tweed Shire Council area classified Business with a minimum rate of five hundred and eighteen dollars and fifteen cents (\$518.15) in respect of any separate parcel of rateable land.

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

(i) Sewerage Annual Charge

A sewerage Annual Charge on the rateable land value of all applicable rateable land in the Tweed Shire Council area with an Annual Charge of four hundred and thirty-five dollars (\$435.00) in respect of any separate parcel of rateable land.

(ii) Water Annual Charge

Residential assessments – a service charge of \$106.00

Business assessments – a service charge based on meter size being \$106.00 times the Meter Size Multiplier consumption factors as detailed in Table 1.

A volumetric charge of \$0.68 per kilolitre for all consumption.

Vacant assessments rated to water – a service charge of \$106.00.

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

Table 1. Consumption Factors

Consumption Scale		Consumption Factors										
kl from	kl to	Meter size (mm)										
		20	25	32	40	50	80	100	150	200	250	300
0	290	1.000	0.640	0.391	0.250	0.160	0.063	0.040	0.018	0.010	0.006	0.004
291	454	1.000	1.000	0.610	0.391	0.250	0.980	0.063	0.028	0.016	0.010	0.007
455	743	1.000	1.000	1.000	0.640	0.410	0.160	0.102	0.046	0.026	0.016	0.011
744	1,160	1.000	1.000	1.000	1.000	0.640	0.250	0.160	0.071	0.040	0.026	0.018
1,161	1,814	1.000	1.000	1.000	1.000	1.000	0.391	0.250	0.111	0.063	0.040	0.028
1,815	4,640	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.284	0.160	0.102	0.071
4,641	7,250	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.444	0.250	0.160	0.111
7,251	16,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.563	0.360	0.250
16,315	29,000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.640	0.444
29,001	45,314	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	0.694
Over 45,314		1000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000

(iii) Tumbulgum Sewerage Annual Charge

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

- LOT 47 SEC 3 DP 1223
- LOT 46 SEC 3 DP 1223
- LOTS 44-45 SEC 3 DP 1223
- LOT 37 SEC 3 DP 1223
- LOT 36 SEC 3 DP 1223
- LOTS 34-35 SEC 3 DP 1223
- LOT 31 SEC 3 DP 1223
- LOT 30 SEC 3 DP 1223
- LOT 34 SEC 2 DP 1223

LOTS 32-33 SEC 2 DP 1223
LOTS 29-30 SEC 2 DP 1223
LOT 28 SEC 2 DP 1223
LOT 37 SEC 1 DP 1223
LOT 1 DP 357241
LOT 2 DP 357241
LOT 41 SEC 1 DP 1223
LOT 42 SEC 1 DP 1223
LOTS 43-44 SEC 1 DP 1223
LOT 50 SEC 1 DP 1223
LOT 51 SEC 1 DP 1223
LOT 52 SEC 1 DP 1223
LOT 53 SEC 1 DP 1223
LOT 54 SEC 1 DP 1223
LOT 55 SEC 1 DP 1223
LOTS 56-57 SEC 1 DP 1223
LOTS 58-59 SEC 1 DP 1223
LOT 60 SEC 1 DP 1223
LOT 2 DP 626425
LOT 10 SEC 6 DP 1223
LOTS 5-6 SEC 6 DP 1223
LOTS 11-12 SEC 5 DP 1223
LOT 2 DP 739552
LOT 5 SEC 4 DP 1223
LOT 6 SEC 4 DP 1223
LOT 7 SEC 4 DP 1223
LOT 50 DP 1911
LOT 49 DP 1911
LOT 21 SEC 2 DP 1223
LOT 22 SEC 2 DP 1223
LOT 23 SEC 2 DP 1223
LOT 67 SEC 6 DP 1223
LOT 68 SEC 6 DP 1223
LOT 3 SEC 6 DP 1223
LOT 2 SEC 6 DP 1223
LOT 1 SEC 6 DP 1223
COR LOT 36 SEC 1 DP 1223
LOT 35 SEC 1 DP 1223
LOT 34 SEC 1 DP 1223
LOT 33 SEC 1 DP 1223
COR LOT 1 SEC 4 DP 1223
LOT 2 SEC 4 DP 1223
LOT 9 SEC 4 DP 1223
LOT 5 SEC 7 DP 1223
LOTS 3/4 SEC 7 DP 1223
LOT 1 SEC 7 DP 1223
LOTS 6-7 SEC 7 DP 1223
LOTS 55-56 SEC 6 DP 1223

LOT 63 & 30-31 SEC 1 DP 1223
LOTS 28/29 SEC 1 DP 1223
LOT 27 SEC 1 DP 1223
LOT 26 SEC 1 DP 1223
LOTS 24-25 SEC 1 DP 1223
LOTS 20/21 SEC 1 DP 1223 20.
LOT 14 SEC 1 DP 1223
LOT 2 DP 799347
LOT 3 DP 799347
LOT 201 DP 865762
LOT 18 SEC 2 DP 1223 & LOT 1 DP 624442
LOT 15 SEC 2 DP 1223
LOTS 9/10 SEC 2 DP 1223
LOT 8 SEC 2 DP 1223
LOTS 6 & 7 DP 1223 SEC 2
LOT 2 DP 563652
LOT 1 DP 584974
LOT 2 DP 584974
LOT 5 SEC 3 DP 1223
LOT 6 SEC 3 DP 1223
LOTS 7/8 SEC 3 DP 1223
LOTS 9/10 SEC 3 DP 1223
LOT 11 SEC 3 DP 1223
LOTS 18/20 SEC 3 DP
LOT 21 SEC 3 DP 1223
LOTS 22/23 SEC 3 DP 1223
LOT 24 SEC 3 DP 1223
LOTS 25-27 SEC 3 DP 1223
LOT 45 SEC 1 DP 1223
LOT 46 SEC 1 DP 1223
LOT 47 SEC 1 DP 1223
LOT 1 DP 626425
LOT 1 DP 574621
LOT 16 SEC 2 DP 1223
LOT 35 SEC 2 DP 1223
LOT 25 SEC 2 DP 1223
LOT 24 SEC 2 DP 1223
LOT 17 SEC 2 DP 1223
LOT 1 DP 739552
LOT 4 SEC 6 DP 1223
LOT 53 SEC 3 DP 1911
LOT 52 SEC 3 DP 1911
LOT 54 DP 1911
LOT 55 DP 1911
LOTS 64-66 SEC 6 DP 1223
LOT 59 SEC 6 DP 1223
LOT 9 SEC 6 DP 1223
LOT 7-8 SEC 6 DP 1223

LOT 41 DP 812273
LOT 40 DP 812273
LOT 48 SEC 1 DP 1223
LOT 49 SEC 1 DP 1223
LOT 62 SEC 6 DP 1223
LOTS 26-27 SEC 2 DP 1223
LOT 15 SEC 1 DP 1223
LOT 63 SEC 6 DP 12233
LOTS 9-13 SEC 1 DP 1223
LOT 4 SEC 4 DP 1223
LOT 61 SEC 1 DP 1223
LOT 31 SEC 6 DP 1223
LOT 1 DP 839857
LOT 2 DP 839857
LOT 8 SEC 4 DP 1223
LOTS 29-30 SEC 6 DP 1223
LOT 19 SEC 1 DP 1223
LOT 16 SEC 1 DP 1223
LOT 57 SEC 6 DP 1223
LOT 58 SEC 6 DP 1223
LOT 29 SEC 3 DP 1223
LOT 28 SEC 3 DP 1223
LOT 105 107 DP 1011315
LOTS 60-61 SEC 6 DP 1223
LOT 17 DP SEC 1 DP 1223
LOT 18 SEC 1 DP 1223
LOT 4 SEC 1 DP 1223
LOTS 5 & 6 SEC 1 DP 1223
LOT 50 DP 1034037
LOT 51 DP 1034037
LOTS 17-18 SEC 5 DP 1223
LOT 1 DP 1048645 - A0061.0084
LOT 12 Sec 3 DP 1223 - EMT 1054838
LOT 48 DP 1911

(iv) Uki Sewerage Annual Charge

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

LOT 2 DP 535919
LOT 1 DP 535919
LOTS 153 170 DP 755730
LOT 171 DP755730
LOT 152 DP755730

LOT 173 DP755730
LOT 150 DP 719951
LOT 1 DP 774800
LOT 1 DP 938584
LOT 2 DP 973705
LOT 3 DP 971169
LOT B DP970550
LOT A DP971647
PH NULLUM LOT 4 SEC 1 DP10909
LOT 11 D.P. 618030
LOT 10 D.P.618030
LOT 7 SEC 1 DP 10909
PSH NULLUM LOT 8 SEC 1 DP 10909 38.4 FTGE
LOT B DP 369388
LOT A DP 369388
LOT 2 DP 549954
LOT 31 D.P. 624684
LOTS 1-2 DP 8107
LOT 3 DP 8107
LOTS 4/5 DP 8107
LOTS 7-8 DP 8107
LOT 233 DP 721129 - RESERVE 140022 - UKI HALL
LOT 1 DP400980
LOT 2 DP400980
LOT 1 DP 661876
LOT A & PT LOT B DP385579
PT LOT 183 DP 755730
LOT 1 SEC 3 DP 11045
LOT 2/3 SEC 3 DP 11045
LOT 6 SEC 3 DP 11045
LOT 12 DP 618030
LOT B DP 103527 & LOT 235 DP 727458
LOT A DP 103527
LOT 122 DP755730
LOT 1 DP 103459
LOT 1 DP547960
LOT 1 DP 936275
LOT 127 DP755730
LOT 128 DP755730
LOT 1 DP 571326
LOT 2 DP 571326
LOT 147 DP755730
LOT 146 DP755730
LOT 163 DP 755730
LOT 148 DP755730
LOT 149 DP 755730
LOT 164 DP755730
LOT 160 DP755730

LOT 159 DP 755730
LOT 2 DP 611868
LOT 1 DP 611868
LOT A DP 399999
LOT B DP 399999
LOT 1 DP 609206
LOT 3 DP 700324
LOT 4 DP 700324
LOT 23 DP 263408
LOT 22 DP 263408
LOT 211 DP 263408
LOT 1 DP 255027
LOT 1 DP 625486
LOT 4 DP 255027
LOT 5 DP 255027
LOT 6 DP 255027
LOT 7 DP 255027
LOT 31 DP 632890
LOT 2 DP 263408
LOT 5 DP 263408
LOT 7 DP 263408
LOT 4 DP 263408
LOT 161 DP 755730
LOT 20 DP 263408
LOT 25 DP 263408
LOT 18 DP 263408
LOT 232 DP 721129
LOT 2 DP 731343
LOT 1 DP 731343
PARISH NULLUM LOT 9 DP 778348
LOT 10 DP 263408
LOT 9 DP 263408
LOT 240 DP 729473
LOT 3 DP 792359
LOT 2 DP 792359
LOT 30 DP 632890
LOT 15 DP 263408
LOT 14 DP 263408
LOT 13 DP 263408
LOT 12 DP 263408
LOT 3 DP 814658 SUBJECT TO DRAINAGE EASEMENT
LOT 1 DP 822828
LOT 1 DP 263408
LOT 166 DP 755730
LOT 12 DP 829544
PSH NULLUM LOT 167 DP 755730
PSH NULLUM LOT 165 DP 755730
LOT 1 DP 709540 & LOT 241 DP 729473

LOT 1 DP 870671
LOT 2 DP 870671
LOT 3 DP 871831
LOT 1 DP 861822
LOT 154 DP 755730
LOT 1 DP 876643
LOT 2 DP 876643
PSH NULLUM LOT 155 DP 755730
LOT 4 SEC 3 DP 11045
LOT 5 SEC 3 DP 11045
LOT 1 DP 1002893
LOT 2 DP 1002893
LOTS 1-6 DP 7188
LOTS 2-3 SEC 2 DP 10909
LOTS 3-4 DP 1002893
LOT 9 DP 825218
LOTS 11-12 DP 838447
LOT 10 DP 825218 SUBJ TO DRAINAGE E'MENT
LOTS 1-2 DP 817081

(v) Bilambil Road Sewerage Annual Charge

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

LOT 2 DP 535919
LOT 1 DP 535919
LOTS 153 170 DP 755730
LOT 171 DP755730
LOT 152 DP755730
LOT 173 DP755730
LOT 150 DP 719951
LOT 1 DP 774800
LOT 1 DP 938584
LOT 2 DP 973705
LOT 3 DP 971169
LOT B DP970550
LOT A DP971647
PH NULLUM LOT 4 SEC 1 DP10909
LOT 11 D.P. 618030
LOT 10 D.P.618030
LOT 7 SEC 1 DP 10909
PSH NULLUM LOT 8 SEC 1 DP 10909
LOT B DP 369388

LOT A DP 369388
LOT 2 DP 549954
LOT 31 D.P. 624684
LOTS 1-2 DP 8107
LOT 3 DP 8107
LOTS 4/5 DP 8107
LOTS 7-8 DP 8107
LOT 233 DP 721129 - RESERVE 140022 - UKI HALL
LOT 1 DP400980
LOT 2 DP400980
LOT 1 DP 661876
LOT A & PT LOT B DP385579
PT LOT 183 DP 755730
LOT 1 SEC 3 DP 11045
LOT 2/3 SEC 3 DP 11045
LOT 6 SEC 3 DP 11045
LOT 12 DP 618030
LOT B DP 103527 & LOT 235 DP 727458
LOT A DP 103527
LOT 122 DP755730
LOT 1 DP 103459
LOT 1 DP547960
LOT 1 DP 936275
LOT 127 DP755730
LOT 128 DP755730
LOT 1 DP 571326
LOT 2 DP 571326
LOT 147 DP755730
LOT 146 DP755730
LOT 163 DP 755730
LOT 148 DP755730
LOT 149 DP 755730
LOT 164 DP755730
LOT 160 DP755730
LOT 159 DP 755730
LOT 2 DP 611868
LOT 1 DP 611868
LOT A DP 399999
LOT B DP 399999
LOT 1 DP 609206
LOT 3 DP 700324
LOT 4 DP 700324
LOT 23 DP 263408
LOT 22 DP 263408
LOT 211 DP 263408
LOT 1 DP 255027
LOT 1 DP 625486
LOT 4 DP 255027

LOT 5 DP 255027
LOT 6 DP 255027
LOT 7 DP 255027
LOT 31 DP 632890
LOT 2 DP 263408
LOT 5 DP 263408
LOT 7 DP 263408
LOT 4 DP 263408
LOT 161 DP 755730
LOT 20 DP 263408
LOT 25 DP 263408
LOT 18 DP 263408
LOT 232 DP 721129
LOT 2 DP 731343
LOT 1 DP 731343
PARISH NULLUM LOT 9 DP 778348
LOT 10 DP 263408
LOT 9 DP 263408
LOT 240 DP 729473
LOT 3 DP 792359
LOT 2 DP 792359
LOT 30 DP 632890
LOT 15 DP 263408
LOT 14 DP 263408
LOT 13 DP 263408
LOT 12 DP 263408
LOT 3 DP 814658
LOT 1 DP 822828
LOT 1 DP 263408
LOT 166 DP 755730
LOT 12 DP 829544
PSH NULLUM LOT 167 DP 755730
PSH NULLUM LOT 165 DP 755730
LOT 1 DP 709540 & LOT 241 DP 729473
LOT 1 DP 870671
LOT 2 DP 870671
LOT 3 DP 871831
LOT 1 DP 861822
LOT 154 DP 755730
LOT 1 DP 876643
LOT 2 DP 876643
PSH NULLUM LOT 155 DP 755730
LOT 4 SEC 3 DP 11045
LOT 5 SEC 3 DP 11045
LOT 1 DP 1002893
LOT 2 DP 1002893
LOTS 1-6 DP 7188
LOTS 2-3 SEC 2 DP 10909

LOTS 3-4 DP 1002893
LOT 9 DP 825218
LOTS 11-12 DP 838447
LOT 10 DP 825218 SUBJ TO DRAINAGE E'MENT
LOTS 1-2 DP 817081

(vi) Tweed Heads Streetscaping Special Rate

A Tweed Streetscaping Special Rate of .1313 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land -

LOT 7 DP 167898
LOT A DP 398092
LOT 2 DP 525905
LOT 8 SEC 2 DP 759009
LOTS 2-6 DP 224382
LOT 3 DP 110355
LOT 1 DP 306057
LOT A DP 313926
LOT 1 SP 5287
LOT 2 SP 5287
LOT 3 SP 5287
LOT 4 SP 528
LOT 5 SP 528
LOT 6 SP 5287
LOT 2 DP 229412
LOT 5 DP 549037
LOT 6 DP 549037
LOT 1 SP 10552
LOT 2 SP 10552
LOT 3 SP 10552
LOT 4 SP 10552
LOT 1 DP 534136
LOT 2 DP 101111
LOTS 3-4 DP 420750
LOTS 1-2 DP 420749
COR LOTS 32/35 DP 237678
LOT 64 DP 237806
LOT 2 DP 549328
LOT 1 DP 549328
LOT 61 DP 237806
LOT 60 DP 237806
LOTS 58/59 DP 237806
LOT 57 DP 237806
LOT 56 DP 237806
LOT 55 DP 237806
LOT 54 DP 237806

LOT 53 DP 237806
LOT 52 DP 237806
LOT 1 SP 14263
LOT 2 SP 14263
LOT 3 SP 14263
LOT 4 SP 14263
LOT 5 SP 14263
LOT 1 DP 525413
LOT 1 DP 553728
LOT 1 DP 777183 SUBJ TO E'MENTS
LOT 9 DP 964880
LOT 1 DP 303503
LOT A DP 332137
LOT B DP 332137
LOT 1 DP 962785
LOT 1 DP 962784
LOT 2 SEC 1 - DP 758279
LOT 100 DP 775892
LOT 3 DP 329933
LOT 1 DP 17554
LOT 2 DP 17554
LOT 3 DP 17554
LOT 4 DP 17554
LOT 5 DP 17554
LOT 6 DP 17554
LOT 7 DP 17554
COR LOTS 2 & 3 DP 519757
LOT 1 DP 222704
LOT 1 DP 609342
LOTS A & B DP 373378
LOTS 1 & 2 SEC 4 DP 4570
LOT 30 SEC 4 DP 4043
LOT 1 DP 329246
LOT 2 DP 329247
LOT 3 DP - 329248
LOT 4 DP 329249
LOT 6 SEC 4 DP 4570
LOT A DP 341926 & LOT 28 SEC 4 DP 4043
LOT 10 SEC 4 DP 4570
LOT 11 SEC 4 DP 4570
LOTS 15 SEC 4 DP 4570
LOT 16 SEC 4 DP 4043
LOT 1 SP 14262
LOT 2 SP 14262
LOT 3 SP 14262
LOT 4 SP 14262
LOT 5 SP 14262
LOT 6 SP 14262

LOT 7 SP 14262
LOT 8 SP 14262
LOT 9 SP 14262
LOT 10 SP 14262
LOT 1 SP 32143
LOT 2 SP 32143
LOT 3 SP 32143
LOT 4 SP 32143
CLOSED ROAD
LOT 1 SEC 5 DP 759009 & LOT 23 DP 776673
LOT 672 DP 755740
LOT 3 DP 520173
LOT 1 DP 245697
LOTS 2-3 DP 561138
LOT 1 DP 820693
LOT 19 SEC 4 DP 4043
LOTS 12/14 SEC 4 DP 4570
LOT 1 DP 866236
LOT 1 DP 1007168
LOT 2 DP 1007168
LOT 4 DP 1007168
LOT 1 SP 57664
LOT 2 SP 57664
LOT 3 SP 57664
LOT 4 SP 57664
LOT 5 SP 57664
LOT 6 SP 57664
LOT 7 SP 57664
LOT 8 SP 57664
LOT 9 SP 57664
LOT 10 SP 57664
LOT 11 SP 57664
LOT 12 SP 57664
LOT 13 SP 57664
LOT 14 SP 57664
LOT 15 SP 57664
LOT 16 SP 57664
LOT 17 SP 57664
LOT 18 SP 57664
LOT 100 DP 1021860
LOT 1 SP 70355
LOT 2 SP 70355

(vii) Koala Beach Special Rate

A Koala Beach Special Rate of .0862 cents in the dollar on the rateable land value of applicable land in the Tweed Shire Council area. The following is a description of the applicable land -

LOT 953 DP 864092
LOT 1 DP 86409
LOT 2 DP 864093
LOT 3 DP 864093
LOT 4 DP 864093
LOT 5 DP 864093
LOT 6 DP 864093
LOT 7 DP 864093 EASEMENT(S) SUBJ TO ROC
LOT 8 DP 864093 SUBJ TO DE & SUBJ TO ROC
LOT 9 DP 864093
LOT 10 DP 864093
LOT 11 DP 864093
LOT 12 DP 864093
LOT 13 DP 864093
LOT 16 DP 864093
LOT 17 DP 864093
LOT 18 DP 864093
LOT 19 DP 864093
LOT 20 DP 864093
LOT 21 DP 864093
LOT 30 DP 864094
LOT 31 DP 864094
LOT 32 DP 864094
LOT 33 DP 864094
LOT 34 DP 864094
LOT 35 DP 864094
LOT 36 DP 864094
LOT 37 DP 864094
LOT 38 DP 864094
LOT 39 DP 864094
LOT 40 DP 864094
LOT 41 DP 864094
LOT 42 DP 864094
LOT 43 DP 864094
LOT 44 DP 864094
LOT 45 DP 864094
LOT 46 DP 864094 SUBJ TO SEWER E'MENT
LOT 47 DP 864094 SUBJ TO DE
LOT 48 DP 864094
LOT 49 DP 864094 SUBJ TO DE
LOT 50 DP 864094 SUBJ TO DE
LOT 51 DP 864094
LOT 52 DP 864094
LOT 53 DP 864094
LOT 54 DP 864094
LOT 55 DP 864094
LOT 56 DP 864094

LOT 57 DP 864094
LOT 58 DP 864094
LOT 59 DP 864094
LOT 60 DP 864094
LOT 61 DP 864094
LOT 62 DP 864094
LOT 63 DP 864094
LOT 64 DP 864094
LOT 65 DP 864094
LOT 66 DP 864094
LOT 67 DP 864094
LOT 68 DP 864094
LOT 69 DP 864094
LOT 70 DP 864094
LOT 71 DP 864094
LOT 72 DP 864094
LOT 73 DP 864094
LOT 74 DP 864094
LOT 75 DP 864094
LOT 76 DP 864094
LOT 77 DP 864094
LOT 78 DP 864094
LOT 79 DP 864094
LOT 80 DP 864094
LOT 81 DP 864094
LOT 82 DP 864094
LOT 83 DP 864094
LOT 84 DP 864094
LOT 85 DP 864094
LOT 86 DP 864094
LOT 87 DP 864094
LOT 88 DP 864094
LOT 91 DP 864094
LOT 92 DP 864095
LOT 93 DP 864095
LOT 94 DP 864095
LOT 95 DP 864095
LOT 96 DP 864095
LOT 97 DP 864095
LOT 98 DP 864095
LOT 99 DP 864095
LOT 100 DP 864095
LOT 101 DP 864095
LOT 14 DP 870694
LOT 15 DP 870694
LOT 22 DP 870695
LOT 23 DP 870695
LOT 24 DP 870695

LOT 25 DP 870695
LOT 26 DP 870695
LOT 27 DP 870695
LOT 28 DP 870695
LOT 29 DP 870695
LOT 213 DP 1033384
LOT 214 DP 1033384
LOT 215 DP 1033384
LOT 216 DP 1033384
LOT 217 DP 1033384
LOT 218 DP 1033384
LOT 219 DP 1033384
LOT 220 DP 1033384
LOT 221 DP 1033384
LOT 222 DP 1033384
LOT 223 DP 1033384
LOT 224 DP 1033384
LOT 225 DP 1033384
LOT 226 DP 1033384
LOT 227 DP 1033384
LOT 228 DP 1033384
LOT 229 DP 1033384
LOT 230 DP 1033384
LOT 231 DP 1033384
LOT 232 DP 1033384
LOT 233 DP 1033384
LOT 234 DP 1033384
LOT 235 DP 1033384
LOT 236 DP 1033384
LOT 237 DP 1033384
LOT 238 DP 1033384
LOT 239 DP 1033384
LOT 240 DP 1033384
LOT 241 DP 1033384
LOT 242 DP 1033384
LOT 243 DP 1033384
LOT 244 DP 1033384
LOT 245 DP 1033384
LOT 246 DP 1033384
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LOT 256 DP 1033384
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LOT 258 DP 1033384
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LOT 260 DP 1033384
LOT 261 DP 1033384
LOT 262 DP 1033384
LOT 263 DP 1033384
LOT 264 DP 1033384
LOT 265 DP 1033384
LOT 201 DP 1033384
LOT 202 DP 1033384
LOT 203 DP 1033384
LOT 204 DP 1033384
LOT 205 DP 1033384
LOT 206 DP 1033384
LOT 207 DP 1033384
LOT 208 DP 1033384
LOT 209 DP 1033384
LOT 210 DP 1033384
LOT 211 DP 1033384
LOT 451 DP 1040725
LOT 452 DP 1040725
LOT 453 DP 1040725
LOT 454 DP 1040725
LOT 455 DP 1040725
LOT 456 DP 1040725
LOT 457 DP 1040725
LOT 458 DP 1040725
LOT 459 DP 1040725
LOT 460 DP 1040725
LOT 461 DP 1040725
LOT 301 DP 1049060
LOT 302 DP 1049060
LOT 303 DP 1049060
LOT 304 DP 1049060
LOT 305 DP 1049060
LOT 306 DP 1049060
LOT 307 DP 1049060
LOT 308 DP 1049060
LOT 309 DP 1049060
LOT 310 DP 1049060
LOT 311 DP 1049060
LOT 312 DP 1049060
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LOT 315 DP 1049060
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LOT 320 DP 1049060
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LOT 323 DP 1049060
LOT 324 DP 1049060
LOT 325 DP 1049060
LOT 326 DP 1049060
LOT 327 DP 1049060
LOT 328 DP 1049060
LOT 329 DP 1049060
LOT 330 DP 1049060
LOT 331 DP 1049060
LOT 332 DP 1049060
LOT 333 DP 1049060
LOT 334 DP 1049060
LOT 335 DP 1049060
LOT 336 DP 1049060
LOT 338 DP 1049060
LOT 340 DP 1049061
LOT 342 DP 1049061
LOT 343 DP 1049061
LOT 344 DP 1049061
LOT 346 DP 1049061
LOT 347 DP 1049061
LOT 348 DP 1049061
LOT 349 DP 1049061
LOT 350 DP 1049061
LOT 351 DP 1049061
LOT 352 DP 1049061
LOT 353 DP 1049061
LOT 354 DP 1049061
LOT 355 DP 1049061
LOT 356 DP 1049061
LOT 357 DP 1049061
LOT 909 DP 1052079
LOT 339 DP 1052080
LOT 370 DP 1052082
LOT 371 DP 1052082
LOT 372 DP 1052082
LOT 373 DP 1052082
LOT 374 DP 1052082
LOT 375 DP 1052082
LOT 376 DP 1052082
LOT 377 DP 1052082
LOT 378 DP 1052082

LOT 379 DP 1052082
LOT 380 DP 1052082
LOT 381 DP 1052082
LOT 382 DP 1052082
LOT 383 DP 1052082
LOT 384 DP 1052082
LOT 385 DP 1052082
LOT 386 DP 1052082
LOT 387 DP 1052082
LOT 388 DP 1052082
LOT 389 DP 1052082
LOT 390 DP 1052082
LOT 391 DP 1052082
LOT 392 DP 1052082
LOT 393 DP 1052083
LOT 394 DP 1052083
LOT 395 DP 1052083
LOT 396 DP 1052083
LOT 397 DP 1052083
LOT 398 DP 1052083
LOT 399 DP 1052083
LOT 400 DP 1052083
LOT 401 DP 1052083
LOT 402 DP 1052083
LOT 403 DP 1052083
LOT 404 DP 1052083
LOT 405 DP 1052083
LOT 406 DP 1052083
LOT 407 DP 1052083
LOT 408 DP 1052083
LOT 409 DP 1052083
LOT 410 DP 1052083
LOT 411 DP 1052083
LOT 412 DP 1052083
LOT 413 DP 1052083
LOT 414 DP 1052083
LOT 415 DP 1052083
LOT 416 DP 1052083
LOT 417 DP 1052083
LOT 418 DP 1052083
LOT 419 DP 1052083
LOT 420 DP 1052083
LOT 421 DP 1052083
LOT 422 DP 1052083
LOT 423 DP 1052083
LOT 424 DP 1052083
LOT 425 DP 1052083
LOT 426 DP 1052083

LOT 90 DP 864094
LOT 212 DP 1033384
LOT 89 DP 864094
LOT 200 DP 1033384

(viii) Burringbar-Mooball Sewerage – Annual Charge

A Burringbar-Mooball Sewerage Annual Charge for all rateable land which will be serviced by the Burringbar/Mooball Sewerage Scheme of the Tweed. An annual sewerage charge of three hundred and fifty dollars (\$350.00) in respect of any separate parcel of rateable land within the Mooball/Burringbar area. The following is a description of the applicable land:-

PT LOT 1 SEC 1 DP 3090
LOT 6 DP 5114
LOT 5 DP 5114
LOTS 13-14 DP 5114
LOT 1 DP 126083
LOT 1 DP 348185
LOT 3 SEC 1 DP 3090
LOT 2 DP 360551
LOT 1 DP 388082
LOT 3 DP 574439
LOT 1 DP 503384
LOT 7 SEC 1 DP 3090
LOT 8 SEC 1 DP 3090
LOT 10-10A SEC 1 DP 6696
LOT 1 DP 771720
LOT 1A SEC 2 DP 6696
LOTS 2-2A SEC 2 DP 6696
LOTS 3-3A SEC 2 DP 6696
LOTS 4-4A SEC 2 DP 6696
LOT 5 SEC 2 DP 6696
LOT 12 DP 571794
LOT 10 SEC 2 DP 3090
LOT A DP 380818
LOT B DP 380818
LOT 1 DP 377857
LOT 2 DP 377857
LOT 3 DP 377857
LOTS 4/5 DP 379207
LOT 6 DP 261790
LOT 7 DP 261790
LOT 8 DP 261790
LOT 9 DP 261790
LOT 10 DP 261790
LOT 14 DP 261790
LOT 16 DP 261790

LOT 17 DP 261790
LOT 18 DP 261790
LOT 19 DP 261790
LOT 20 DP 261790
LOT 4 SEC 2 DP 2853
LOT 2 DP 261790
LOT 3 DP 261790
LOT 5 DP 261790
LOT 7 DP 617837
LOT 6 DP 617837
LOT 1 DP 517616
LOT 5 DP 563017
LOT 2 DP 701606
LOT 1 DP 701606
LOT 3 DP 542839
LOT 1 DP 801130
LOTS A-D DP 6624
LOT E DP 6624
LOT I DP 6624
LOTS J & K DP 6624
LOT 2 DP 705526
LOT B DP 408782
LOT A DP 403665
LOT 1 DP 383810
LOTS 1-3 DP 124446
LOT 1 DP 124445
LOT 2 DP 124445
LOT 1 DP 124444
LOT 2 DP 124444
LOT 16 SEC 1 DP 2853
LOT 17 SEC 1 DP 2853
LOT 11 DP 866170
LOT 2 DP 228425
LOT 4 DP 607681
LOT 3 DP 607681
LOT 1 DP 972819
LOT 6 DP 381443
LOT 1 DP 378287
LOT 1 DP 379905
LOT 1 DP 398418
LOT 1 DP 227947
LOT 1 DP 664695
LOT 1 DP 231691
LOT 2 DP 231691
LOT 2 DP 5726
LOT 3 DP 5726
LOT 14 DP 631001
LOT 15 DP 631001

LOTS 6/7 DP 5726
LOTS 8/9 DP 5726
LOTS 10/11 DP 5726
LOTS 12/13 DP 5726
LOTS 14-15 DP 5726
LOT 1 DP 124443
LOT 4 DP 877090
LOT 5 DP 877090
LOT 1 SEC 3 DP 2853
LOTS 24/26 DP 597517
LOT 27 DP 597517
LOT 8 SEC 3 DP 2853
LOT 1 DP 332658
LOT A DP 363236 VOL 5985 FOL 159
LOT B DP 363236 VOL 6486 FOL 70
LOT 10 SEC 1 DP 17414
LOT 9 SEC 1 DP 17414
LOT 8 SEC 1 DP 17414
LOT 7 SEC 1 DP 17414
LOT 6 SEC 1 DP 17414
LOT 5 SEC 1 DP 17414
LOT 4 SEC 1 DP 17414
LOT 3 SEC 1 DP 17414
LOTS 1-2 DP 316479
LOT 1 DP 329318
LOT 1 DP 393596
LOT 1 DP 123205
LOT 3 DP 329318
LOT 4 SEC 2 DP 17414
LOT C DP 370478
LOTS D/E DP 370478
LOT A DP 420797 & LOT F DP 370478
LOTS A-B DP 403876
LOT 2 DP 316482
LOT 3 DP 659959
LOT 1 DP 129581
LOT 1 DP 369445
LOT B DP 365259
LOT A DP 354678
LOTS 1-2 DP 26048
PH MOOBALL LOT 3 DP 26048
LOT 1 DP 231846 SUBJ TO R O W
LOT 2 DP 534493
LOT 3 DP 621019
LOT 2 SEC 3 DP 3090
LOT 3 SEC 3 DP 3090
LOT 4 SEC 3 DP 3090
LOT 5 SEC 3 DP 3090

LOTS 6/7 SEC 3 DP 3090
LOT 1 DP 134112 & LOT 1 DP 444022
LOT 2 DP 603957
LOT 1 DP 603957
COR LOT 21 DP 5726
COR LOT 1 SEC 4 DP 3090
LOT 2 SEC 4 DP 3090
LOT 3 SEC 4 DP 3090
LOT 4 SEC 4 DP 3090
LOT 5 SEC 4 DP 3090
LOT 6 SEC 4 DP 3090
LOT 7 SEC 4 DP 3090
LOT 15 SEC 1 DP 2853
LOT 1 DP 705526
LOT 16 DP 712033
LOT 9 SEC 3 DP 2853
LOT 1 DP 780313
LOT 1 DP 812763
LOT D DP 366531
LOT 14 DP 716554
LOT 15 DP 716554
LOT 1 DP 1026551
LOT 12 DP 866170
LOT 1 DP 107628 - PMS 03320 BURRINGBAR
LOTS 8/9 DP 383174
LOT 1 DP 805475
LOT 2 DP 812763
LOT 11 SEC 1 DP 2853
LOT 10 SEC 1 DP 2853
LOT 14 SEC 1 DP 2853
LOT 1 DP 828287
LOT 1 DP 835350
LOT 2 DP 835350
LOT 3 DP 828280
LOT 3 DP 124444
LOT 9 SEC 1 DP 2853
LOT 25 DP 871153
LOT 1 DP 872622
LOT 2 DP 872622
LOT 1 DP 124646
LOT A DP 366531
LOT B DP 366531
LOT C DP 366351

(ix) **Dobbys Crescent Sewerage Annual Charge**

A Dobbys Crescent Sewerage Annual Charge for all rateable land which will be serviced by the Dobbys Crescent Sewerage Scheme of the Tweed. An annual sewerage charge of four hundred and fifty dollars (\$450.00) in respect of any separate parcel of rateable land within the Dobbys Crescent area. The following is a description of the applicable land:-

LOT 2 SEC 1 DP 30148
LOT 3 SEC 1 DP 30148
LOT 4 SEC 1 DP 30148
LOT 1 DP 781535
LOT 2 DP 781535
LOT 7 SEC 1 DP 30148
LOT 28 DP 212092
LOT 24 DP 212092
LOT 18 DP 212092
LOT 17 DP 212092
LOT 15 DP 212092
LOT 14 DP 212092
LOT 13 DP 212092
LOT 12 DP 212092 VOL 9332
LOT 11 DP 212092
LOT 10 SEC 2 DP 30148
LOT 9 SEC 2 DP 30148
LOT 8 SEC 2 DP 30148
LOT 4 SEC 2 DP 30148
LOT 3 SEC 2 DP 30148
LOT 2 SEC 2 DP 30148
LOT 1 SEC 2 DP 30148
LOT 1 DP 781539
LOT 5 DP 588767
LOT 3 DP 211196
LOT 19 DP 212092
LOT 20 DP 212092
LOT 21 DP 212092
LOT 22 DP 212092
LOT 23 DP 212092
LOT 25 DP 212092
LOT 6 SEC 2 DP 30148
LOT 7 SEC 2 DP 30148
LOT 32 DP 1013881

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

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

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12 [OGM] Northern Rivers Regional Organisation of Council - NOROC

ORIGIN:

General Manager

SUMMARY OF REPORT:

Council at its meeting of 28 April 2004 resolved to support the Northern Rivers Regional Organisation of Councils (NOROC) Review Workshop Outcomes.

At the Extraordinary meeting held 18 June 2004 NOROC adopted a revised constitution which incorporated the workshop outcomes. The structure change provides for Membership of the Board of NOROC to be the Mayors and General Managers of the constituent Councils. The President is Cr Ernie Bennett (Mayor of Kyogle Council) and Cr Phillip Silver (Mayor of Ballina Shire Council) was elected Deputy President.

The focus of NOROC will be towards regional representation and political lobbying with the General Managers managing operational matters, effectively through the "General Managers' Group". The Secretariat will provide the administrative support.

RECOMMENDATION:

That this report be received and noted.

REPORT:

As per summary.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

1. Northern Rivers Organisation of Councils Review Workshop Outcomes
 2. Constitution 30 April 2004 (Replacing Constitution of 27 October 2003)
 3. Minutes of the Northern Rivers Organisation of Councils Extraordinary meeting held Friday 18 June 2004.
 4. Minutes of the Northern Rivers Organisation of Councils Ordinary meeting held Friday 18 June 2004
-

13 [OGM] Costs Involved in the Local Government Elections held 27 March 2004

ORIGIN:

Administration Services

SUMMARY OF REPORT:

The final costs have now been submitted by the State Electoral Office for the conduct of the Local Government Elections held on 27 March 2004. All other costs involved in that election are summarised for Council's information

RECOMMENDATION:

That this report be received and noted.

REPORT:

The costs incurred by the State Electoral Office in the conduct of the 27 March 2004 election have now been advised to Council. A summary of all other costs incurred in this election are summarised hereunder.

Printing & Stationary	\$2,237.57	
Pre-Election Seminar	\$1,712.67	
Office Chairs - retained by Council	\$518.18	
Changing of Locks	\$330.00	
Ballot Papers	\$9,230.00	
Hire of Polling Places	\$12,379.50	
Cartage of Election Material	\$5,631.68	
Hire of Security Guard	\$854.40	
Staff to Conduct Election	\$80,178.79	
Advertising - Tweed Link	\$4,374.00	\$117,446.79
<hr/>		
<u>Account from the State Electoral Office</u>		
Returning Officer's Costs	\$10,825.67	
Advertising	\$3,981.21	
Electoral Rolls	\$3,811.28	
Materials - Cardboard, Materials, Forms, etc	\$5,351.69	
Training	\$660.54	
Counting Operations	\$23,490.73	
Central Operations	\$6,142.16	
Administration Fee	\$5,024.58	\$59,287.86
Total Cost of the Election		\$176,734.65

Included in the counting operations is the cost incurred in the recount. Advice from the State Electoral Office is that the cost of the recount was approximately eight thousand dollars (\$8,000.00).

The budgeted amount for the conduct of the election was two hundred and sixty thousand dollars (\$260,000.00). The savings made will be taken up in the June quarterly review.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

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14 [OGM] Financial Indicators - 2002/2003 Comparative Information on NSW Councils provided by the Department of Local Government

ORIGIN:

Corporate Performance

SUMMARY OF REPORT:

The Department of Local Government has released the 2002/2003 Comparative Performance Information for Councils in NSW. This report outlines the key annual comparative information for Tweed Shire Council compared to the State averages.

RECOMMENDATION:

That this report be received and noted.

REPORT:

The Department of Local Government has released the 2002/2003 Comparative Performance Information for NSW. This report outlines the key annual comparative information for Tweed Shire compared to State averages and enables assessment of performance in key financial and operational areas.

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

This financial comparative performance information is published annually by the NSW Government to make local government more transparent and to strengthen accountability. A major source of the data is the audited Annual Financial Statement of councils. The figures are indicators only and conclusions should not be drawn without qualitative assessment being made.

MAKING COMPARISONS

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

Source: Dept of Local Govt June 2004

**2002/2003 FINANCIAL INDICATORS – NSW AVERAGE:
TWEED SHIRE COUNCIL (TSC)**

1. Average Rate Per Residential Property Assessment

NSW	GROUP	TSC
\$590.00	\$614.51	\$573.92

2. Average Rate Per Farmland Assessment

NSW	GROUP	TSC
\$1426.00	\$1182.47	\$1021.78

3. Average Rate Per Business Assessment

NSW	GROUP	TSC
\$3314.00	\$4005.64	\$1773.39

4. **Account Average Comparison**

		NSW \$	TSC \$
		Mean	
Item 1	Residential Rate	590.00	573.92
Item 7	Domestic Waste	199.00	152.29
Item 9	Sewerage	368.00	409.88
Item 11	Water	367.00	238.51
	Total Average Account	\$1524.00	\$1374.60

5. **Outstanding Rates, Charges and Fees**

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

NSW	TSC
6%	9.85%

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

The percentage for 2002/2003 of 9.85% has decreased from 11.54% for 2001/2002.

6. **Local Government Source of Income**

REVENUE-SOURCES OF FUNDS	NSW	TSC
Rates & Annual Charges	47%	24%
User Charges & Fees	17%	9%
Interest	3%	4%
Grants	16%	8%
Cash Contributions)	13%	55%
Non-Cash Contributions)		
Other Revenue	4%	0%

Matters that impact are income sources, level of government funding, rate of development and population growth and socio-economic characteristics of Council. The indicator assesses the degree of dependence on alternative sources of revenue. The figure for 2002/2003 is distorted by the Tweed Valley Way non-cash contribution of \$61M for the handover of the road network. This impacts greatly on the rates/annual charges and cash/non-cash contribution sources.

7. Total Operating Revenue per Capita

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

NSW	TSC
774.00	655.89

8. Dissection of Expenses from Ordinary Activities as Percentage of Total Expenses

This indicator assesses the expenditure pattern of annual

	NSW	TSC
Employee Costs	39%	33%
Material and Contracts	25%	23%
Borrowing Costs	2%	4%
Depreciation	20%	29%
Other Expenses	15%	11%

9. Total Operating Expense per Capita

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

NSW	TSC
\$773.00	\$712.69

10. Current Ratio

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

NSW	TSC
1:2.47	1:2.50

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

11. Debt Service Ratio

The ratio is an assessment of the operating revenue committed to the repayment of loan debt. Generally the ratio would be higher for councils in growth areas such as Tweed Shire where loans have been required to fund infrastructure eg roads,

community buildings, bridges, water and sewerage works. The ratio is also affected by prevailing interest rates and loan terms.

NSW	TSC
6%	9.92%

The use of loan funds is considered a prudent financial strategy allowing for contribution to the asset over its life by those who use it. For developing Councils such as Tweed a ratio of 15% is considered reasonable.

12. *Library Expenses Per Capita*

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

NSW	TSC
\$27.00	\$18.51

Council increased its financial commitment to library services in the 2002/03 and 2003/04 budgets.

These expenses only relate to operation expenses. Tweed Shire Council has major annual capital costs of loan principal in addition to its operational expenses.

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

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

NSW	TSC
\$199.00	\$152.29

14. *Costs per Service for Domestic Waste Collection*

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

NSW	TSC
\$116.00	\$124.96

15. *Recyclables – kilograms per capita per annum*

This indicator measures the effectiveness of Council's Recycling Service.

NSW	TSC
142.00	57.24

Factors affecting this indicator are the size of the recycling containers, the frequency of collection, level of promotion and education about the service. The indicator for Tweed is amongst the lowest for the State.

16. Water Average Account (\$ per connection)

NSW	TSC
\$367.00	\$238.51

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

17. Water Operating Costs per Connected Property

NSW	TSC
\$384.00	\$324.07

This indicator includes the costs of providing water supply services.

18. Sewerage Average Account (\$ per connection)

NSW	TSC
\$368.00	\$409.88

This indicator includes all revenue from sewerage rates and charges. Tweed Shire Council has a loan program that has increased costs. Depreciation costs are also funded.

19. Sewerage Operating Costs per Connected Property

NSW	TSC
\$393.00	\$394.57

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

20. Mean Time in Calendar Days for Determining Development Applications

This indicator means the speed with which Development Applications are determined.

NSW	TSC
50.50	40.31

The processing time for an application starts when the application is lodged as at the date of the Notice of Determination not the decision date.

21. Legal Expenses (Planning & Building Control) to Total Planning & Regulatory Building Costs

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

NSW	TSC
10%	8.33%

22. Environmental Management and Health Services Per Capita

NSW	TSC
\$19.00	\$21.64

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

23. Net Recreation and Leisure Expenses Per Capita

NSW	TSC
\$54.00	\$47.65

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

24. Community Services Expenses Per Capita

NSW	TSC
\$47.00	\$10.52

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

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

25. Population Growth/5 Year Average

Tweed's Shire's estimated population growth to June 2002 of 2.49% (5 year average) is the seventh highest in NSW outside of the metropolitan area.

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

**Percentage of Staff Per 1000 of Population
All Councils Levying General, Water and Sewerage Rates**

	Council	Staff / 1000 Population
1	Yarrowlumla	5.15
2	Ballina	5.92
3	Gosford	5.97
4	Hastings	6.04
5	Lismore	6.34
6	Narrabri	6.36
7	Wyong	6.45
8	Tweed	6.66
9	Parry	6.69
10	Coffs Harbour	6.73
11	Deniliquin	6.74
12	Pristine Waters	6.80
13	Nambucca	6.81
14	Muswellbrook	6.91
15	Wingecarribee	6.99
16	Dubbo	7.13
17	Leeton	7.43
18	Byron	7.54
19	Shoalhaven	7.67
20	Young	7.85
21	Queanbeyan	7.90
22	Dungog	7.97
23	Grafton	8.08
24	Evans	8.14
25	Singleton	8.20
26	Griffith	8.26
27	Tamworth	8.26
28	Orange	8.32
29	Copmanhurst	8.45
30	Armidale	8.55
31	Hume	8.59
32	Bellingen	8.62
33	Goulburn	8.79
34	Lithgow	8.79
35	Bega Valley	8.80
36	Cootamundra	9.01
37	Bathurst	9.29
38	Parkes	9.48
39	Corowa	9.56
40	Scone	9.59

	Council	Staff / 1000 Population
41	Albury	9.77
42	Tumut	9.78
43	Yass	9.90
44	Culcairn	10.10
45	Narromine	10.15
46	Forbes	10.15
47	Mudgee	10.19
48	Berrigan	10.27
49	Cowra	10.31
50	Richmond Valley	10.32
51	Kempsey	10.36
52	Mulwaree	10.45
53	Kyogle	10.54
54	Murray	10.91
55	Guyra	10.93
56	Eurobodalla	11.42
57	Walgett	11.47
58	Inverell	11.70
59	Wentworth	11.86
60	Gunnedah	12.17
61	Murrumbidgee	12.40
62	Glen Innes	12.64
63	Cooma-Monaro	12.76
64	Snowy River	12.96
65	Gundagai	13.18
66	Oberon	13.41
67	Moree Plains	13.62
68	Cabonne	13.66
69	Narrandera	14.20
70	Manilla	14.26
71	Crookwell	14.26
72	Hay	14.44
73	Gunning	14.60
74	Coonabarabran	14.65
75	Harden	14.89
76	Tenterfield	15.00
77	Uralla	15.07
78	Rylstone	15.21
79	Wellington	15.77
80	Wakool	15.95
81	Walcha	15.95
82	Quirindi	16.34
83	Conargo	16.45
84	Severn	16.75
85	Tumbarumba	17.00
86	Bogan	18.04

	Council	Staff / 1000 Population
87	Nundle	18.05
88	Gloucester	18.05
89	Balranald	18.11
90	Coolah	18.27
91	Bombala	18.77
92	Barraba	18.83
93	Lachlan	19.11
94	Tallaganda	19.64
95	Murrurundi	19.76
96	Coonamble	19.81
97	Central Darling	20.01
98	Warren	21.77
99	Jerilderie	22.54
100	Boorowa	22.56
101	Bourke	23.59
102	Yallaroi	24.13
103	Bingara	24.35
104	Brewarringa	24.39
105	Carrathool	25.70
106	Merriwa	26.31
107	Cobar	29.89
108	Gilgandra	32.89
	Average	12.87

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

15 [OGM] Tweed and Coolangatta Tourism Inc (TACTIC) Monthly Performance Report - April to May 2004

ORIGIN:

Executive Manager

SUMMARY OF REPORT:

Tweed and Coolangatta Tourism Inc (TACTIC) monthly performance reports for April and May 2004 are provided in accordance with the Agreement criteria.

RECOMMENDATION:

That this report be received and noted.

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 April and May 2004.

FINANCIAL HIGHLIGHTS - APRIL 2004*a. Months Results:*

- Gross Profit \$16,012
- Expenditure \$31,283
- Profit/Loss **(\$15,271)**
- Budgeted Profit/Loss (\$31,348)
- Variance from Budget \$16,077

b. Year to Date Results:

- Profit/Loss \$41,890
- Budgeted Profit/Loss **(\$43,525)**
- Variance from Budget \$85,415

c. Cash at Bank 8th April 2004

- \$198,465.73 (Cash in Bank \$97,780.80, Term Deposit \$100,684.93, Cash in Hand \$550)

RESERVATIONS & SALES*a. Visitor Numbers to Visitor Information Centres*

WHRC					Tweed Heads				
	2004	%	2003	Variance		2004	%	2003	Variance
Total Visitors	2407		2210	8.91%	Total Visitors	1966		1311	49.96%
Type of Enquiry					Type of Enquiry				
Tourism	715	52.34%	756	-5.42%	Tourism	809	59.22%	533	51.78%
National Parks	152	11.13%	194	-21.65%	National Parks	22	1.61%	5	340.00%
Street Directions	179	13.10%	92	94.57%	Street Directions	171	12.52%	96	78.13%
Bus Timetables	19	1.39%	16	18.75%	Bus Timetables	84	6.15%	75	12.00%
Other	188	13.76%	110	70.91%	Other	149	10.91%	62	140.32%
TOTAL	1253		1168	7.28%	TOTAL	1235		771	60.18%

Highlights

- Both centres were decidedly quiet in comparison to the previous two months, especially the last two weeks of March.
- Tweed Head numbers continue to grow in comparison to the same period last year.

b. Year to Date

	2003/04	2002/03	Variance	2003/04	2002/03	Variance
	WHRC			Tweed Heads		
Sept Qtr	8033	6885	16.67%	5544	1401	295.72%
Dec Qtr	7457	3108	139.93%	5721	5109	11.98%
Mar Qtr	7341	7237	1.44%	5927	2727	117.35%
Jun Qtr						
Total	22831	17230	32.51%	17192	9237	86.12%

Highlights

- Minimal growth to WHRC for the March quarter.
- Tweed Heads continued with the strong increase to visitor numbers.
- Summer months visitation are more orientated towards the Tweed Coast.

c. Retail Sales

	March 2004	March 2003
Number of Sales	441	
Average \$ per Sale	\$9.22	
Average \$ per Visitor	\$1.65	\$1.68

Highlights

- Good average spend per sale this month – retail sales of books were predominant. Murwillumbah retail totalled \$4,065.00.
- Retail sales of our product at the Mall for March totalled \$778.00 – posters of Tweed/Coolangatta were the biggest seller, with maps still selling steadily.
- New permanent perspex displays for posters at the Mall should also increase sales.
- Wholesale sales totalled \$1,555.00 for March – mainly established retailers re – ordering supplies. No hours claimed by Rex this month.
- Total retail sales for the month \$6,398, with budget \$4,441

d. Reservations

- Accommodation and tour booking commissions budget for March was \$2213.00. Total commissions achieved for the month were just under budget at \$2184.00.
- After hours answering service two options considered. The more economical option with Synergy, has a minimum 12 month contract – will not allow for a three month trial. The cost of the alternative with Messagecom, the revenue that would be generated by the follow up on after hours calls would not cover the cost to have this service operational.

e. *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	15	38	\$5,307	2.53	\$354	\$140
October	6	19	\$1,575	3.17	\$263	\$83
November	4	5	\$683	1.25	\$171	\$137
December	4	10	\$1,135	2.5	\$284	\$114
January	4	9	\$787	2.25	\$197	\$88
February	7	8	\$804	1.14	\$115	\$101
March	10	17	\$1,611	1.7	\$161	\$95
Totals	50	123	\$13,187	2.08	\$213	\$104

Highlights

- Steady increase with the number of bookings made via website. Staff and volunteers have an increased awareness for using the website.
- Currently updating rates for period April 2004 through to March 2005.

f. *Group Bookings*

- Events/Conferences/Meetings planned for 2004/5 which we are working towards securing business from:
 - NSW Registered Clubs Assn meeting in October
 - Combined Community Legal Centres National Conference, 5 days, 350-400pax end August/beginning September 2005
 - Local Government Association Conference, 140 pax, 18-19 November 2004- site inspection with organiser at 5 Twin Towns 7.4.04 – confident of securing to be held in Tweed Heads
 - NSW Agriculture, approx 230pax, February 2005.
- Commencing work with Speed on Tweed to develop accommodation packages including breakfast & tickets.

Group/Event Booking	Dates:	No Pax:	Room Nights Bked	Total \$ Value To Date:	Comment:
Ayurvedic Studies	6 weekends - 2004	20 each mtg	10	\$537.50	Low budget delegates Meeting already booked at Twin Towns
2004 NSW U/16 State C'Ships Tweed Heads	29 - 30 May		53	\$5,319.00	
Wedding Grace & May	5th June 2004		37	\$1,335.00	All booked Pyramid CP - cabins & van sites
Murwillumbah High School 75th Anniversary Celebration	2 July - 4 July 2004		5	\$355.00	
Veterans Week Of Golf Tweed Coolangatta Golf Course	9 Aug - 15th Aug 2004				
NSW Veterans State C'ships Murwillumbah/Mullinbinby	6th - 10th Sept 2004				Accommodation & booking sheets sent to NSW clubs March 2004
SCU - 26th Annual AARMEC Sthn Cross University	25th - 28th Sept 2004				Accomm. & booking sheets sent to Marilyn 2/3/04- to be displayed on conf. webpage

Group/Conference Bookings	Dates:	Property:	Room Nights Bked	Total \$ Value Accom:	Comments
U/16 Boys Hockey Team	4th - 9th July 2004				Liaising with coach to secure booking Tweed Heads properties
Local Govt Association	18-19 November 2004	Twin Towns			Competing with Coffs Harbour as a destination - approx 120pax - TBC 15/4/04
NSW Agriculture	pref 7 - 11 Feb 2005	Twin Towns			Up to 230 delegates - various accomm 3 day conference - venue/dest - TBA
Combined Comm Legal Centres National Conference 2005	Aug - Sept 2005				350 - 400 pax attending, submitted tender awaiting National Board decision - poss May
Total To Date:			105	\$7,546.50	

MARKETING REPORT

a. Television Campaign

- Media Schedule has been booked with advertisements appearing this month in the Melbourne Age, Sunday Mail and Toowoomba chronicle.
- TV advertising commenced on 18th April on NBN/WIN & Prime/Sun Regional markets (Toowoomba/Coffs Harbour/Lismore/Gold Coast)
- Financial commitment from Casuarina has been written off

b. Website

Week	Weekly Visits by Month		
	March	February	January
Week 1	1043	1036	1137
Week 2	371	1069	1173
Week 3	1298	1084	1452
Week 4	1255		555
Week 5	1023		
Total	4990	3189	4317
Avg per day	142	151	154

c. Tracking

Responses from articles and advertisement in the Sunday Mail have been good with 25 responses in the first 24 hours. Additional 55 enquiries in the following 24 hours and they are still coming.

d. Public Relations

- EAV currently at \$368,058.49
- Appearing this month has been full page in the RACQ Road Ahead
- Articles still to come include Brisbane News editorial from Famil trip, Sunshine Coast Daily (APN stable) famil trip and NSW & Vic Retirees Biannual.
- Next Famil is with Canberra Times Magazine Travel Editor. Virgin Blue has provided FOC Tickets ex Canberra on 1st May.
- The Australia/Weekend Australian Music Writer has accepted an invitation to attend Tyalgum Music Festival.
- Contact has been made with new PR consultant for Casuarina and ongoing liaison will ensure they have access to variety of product. A 'foodies' media tour is under discussion. Claire is also assisting their Conference & Incentives Manager for pre & post touring programmes.

e. Trade Shows

- Shared space has been booked for DTE on 13-14 August 2004 at Gold Coast Convention Centre
- Toowoomba Spring Home Show 1st-3rd October 3m x 3m partial panelled space has been booked.

f. Network Nights

The next Network Night is in May on The Spirit of the Bay boat. Tentative date set for Wednesday 26th May @ \$25 per head.

g. Taste The Tweed

- Taste the Tweed Meeting to be held to facilitate local involvement in Food Book Festival on Thursday 29th April at 1.00pm in DSRD offices in Tweed Heads.
- Terry Watson proposed that there be more integration of the elements (Taste the Tweed, Agri-tourism, Festival & Events) in the marketing plan and budget with the objectives of merging tourism and agriculture through product development and stronger branding of the Tweed.

Recommendation from the marketing committee:

“That TACTIC endorses 2005 as the year of Taste the Tweed”

MEMBERSHIP

a. Current Financial Members

	April 2004	April 2003
Service	42	27
TACTIC	145	140
Reciprocal	4	3
Corporate	7	5
Corporate Affiliates	9	4
TOTAL	198 /207	175 / 179

b. New members to be ratified

Service 1
11th Hour Catering

TACTIC 3
South Tweed Motor Inn
Penny Ridge Resort

Reciprocal TACTIC

Murwillumbah Hotel

- An agreement has been discussed whereby the Hotel provides a meeting and training space for staff & volunteers with tea & coffee for a minimum of 12 meetings pa in exchange for membership.
- Meeting space value \$50 x 12 = \$600 for a \$300 TACTIC membership

Corporate

Total Financial Members end March 2004 202/ 211

FINANCIAL HIGHLIGHTS - MAY 2004

a. Months Results:

Gross Profit \$26,466
Expenditure \$53,472
Profit/Loss (\$27,006)

Budgeted Profit/Loss (\$8,648)
Variance from Budget (\$18,358)

Reasons for Variance:

Revenue

- (\$1,673) under Membership
- \$2,162 Over on Retail Sales
- (\$549) under Commissions

Expenditure

- (\$2,400) under HR
- \$23,948 over spent on Marketing – timing
- (\$961) under spent Murwillumbah expenses – timing
- (\$759) under spent Tweed Heads VIC expenses - timing

b. Year to Date Results:

Profit/Loss	\$14,890
Budgeted Profit/Loss	(\$52,173)
Variance from Budget	\$67,063

Summary of Variance:

Revenue

- \$2,735 Bank interest
- (\$28,454) under Marketing
- (\$16,793) under membership
- \$23,137 over Retail Sales
- \$4,342 over Commissions
- \$11,260 over Sundries (payment for Small Meetings Market Study)

Expenditure

- \$8,170 over COGS (amortisation of product development costs)
- \$3,982 over Administration
- (\$12,104) under HR
- (\$81,913) under Marketing
- \$3,552 over Membership
- \$6,238 over Miscellaneous – FELO, extra rent
- \$1,500 over Reservations
- \$772 Tweed Heads VIC

c. Cash at Bank 8th April 2004

\$116,355.22 (Cash in Bank \$15,120.29, Term Deposit \$100,684.93, Cash in Hand \$550)

RESERVATIONS & SALES*a. Visitor Numbers to Visitor Information Centres*

WHRC					Tweed Heads				
	2004	%	2003	Variance		2004	%	2003	Variance
Total Visitors	2918		2791	4.55%	Total Visitors	1723		1483	16.18%
Type of Enquiry					Type of Enquiry				
Tourism	861	64.45%	770	11.82%	Tourism	623	46.63%	583	6.86%
National Parks	165	12.35%	242	-31.82%	National Parks	19	1.42%	21	-9.52%
Street Directions	154	11.53%	158	-2.53%	Street Directions	147	11.00%	110	33.64%
Bus Timetables	21	1.57%	21	0.00%	Bus Timetables	96	7.19%	55	74.55%
Other	135	10.10%	122	10.66%	Other	118	8.83%	80	47.50%
TOTAL	1336		1313	1.75%	TOTAL	1003		849	18.14%

Highlights

- Both centres showed an increase in Visitors numbers for the month of April.
- Tweed Head numbers continue to grow in comparison to the same period last year.
- Noticeable increase in number of visitors from Sydney and Victoria

c. Year to Date

	2003/04	2002/03	Variance	2003/04	2002/03	Variance
	WHRC			Tweed Heads		
Sept Qtr	8033	6885	16.67%	5544	1401	295.72%
Dec Qtr	7457	3108	139.93%	5721	5109	11.98%
Mar Qtr	7341	7237	1.44%	5927	2727	117.35%
Jun Qtr	2918	2791	4.55%	1723	1483	16.18%
Total	25749	20021	28.61%	18915	10720	76.45%

Highlights

- WHRC had a strong start to the June Quarter with a 4.5% increase in numbers compared to same period last year
- Tweed Heads continued its strong performance with a 76% increase for the year to date over last year.

d. Retail Sales

	April 2004	April 2003
Number of Sales	481	
Average \$ per Sale	\$11.14	
Average \$ per Visitor	\$1.84	\$1.51

Highlights

- A \$3.00 increase to average spend per sale compared to previous month
- Murwillumbah retail sales totalled \$5 357.00- a few of the more expensive items we sold this month
- Retail sales of our product at the Mall for March totalled \$ 610.00
- Wholesale sales totalled \$ 597.00 for April -mainly established retailers re – ordering supplies. No hours claimed by Rex this month.
- Total sales for the month \$6 564, with budget \$4 438.

e. Reservations

- Accommodation and tour booking commissions budget for April \$2 213. Total commissions achieved for the month were well under budget at \$1 685
- Occupancy for motels and hotels in the Tweed Heads area were below previous levels for April/Easter holidays. Apartments, however, showed strong occupancy levels.
- Excellent response from the editorial in the Sunday Mail 4/4/04 with a total of 139 calls received directly on the 1800 number

f. 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	15	38	\$5,307	2.53	\$354	\$140
October	6	19	\$1,575	3.17	\$263	\$83
November	4	5	\$683	1.25	\$171	\$137
December	4	10	\$1,135	2.5	\$284	\$114
January	4	9	\$787	2.25	\$197	\$88
February	7	8	\$804	1.14	\$115	\$101
March	10	17	\$1,611	1.7	\$161	\$95
April	9	21	\$1,842	2.33	\$205	\$88
Totals	59	144	\$15,029	2.37	\$239	\$115

Highlights

- Awareness of using the website for booking is increasing with a larger number of properties being booked rather than just the one or two properties.
- Increase in number of requests via the website however several were not confirmed by the operator due to limited availability.

g. Group Bookings

- Events/Conferences/Meetings planned for 2004/5, which we are working towards securing business from:
- NSW Registered Clubs Assn meeting in October
- Combined Community Legal Centres National Conference, 5 days, 350-400pax end August/beginning September 2005

- The Great Escape 2004 Wangaratta to Coolangatta 18th September – charity car rally with 50 cars – many families expected to stay in Coolangatta/Tweed on completion for holiday
- NSW Agriculture, approx 230pax, February 2005.
- Commencing work with Speed on Tweed to develop accommodation packages including breakfast & tickets.

Group/Event Booking	Dates:	No Pax	Room Nights Bked	Total \$ Value To Date	Comment:
Ayurvedic Studies	6 weekends - 2004	20 each mtg	10	\$537.50	Low budget delegates Meeting already booked at Twin Towns
2004 NSW U/16 State C'Ships Tweed Heads	29 - 30 May		59	\$5,799.00	
Junior Rugby League	31 May - 6 June		4	\$236.00	
Wedding Grace & May	5th June 2004		37	\$1,335.00	All booked Pyramid CP - cabins & van sites
Murwillumbah High School 75th Anniversary Celebration	2 July - 4 July 2004		11	\$725.00	
Veterans Week Of Golf Tweed Coolangatta Golf Course	9 Aug - 15th Aug 2004				
NSW Veterans State C'ships Murwillumbah/Mullinbinby	6th - 10th Sept 2004				Accommodation & booking sheets sent to NSW clubs March 2004
Speed On Tweed 2004 The Great Escape 2004 Mc Donald /Howard Wedding	17th - 19th September 18th September 9th October 2004				Murwillumbah
SCU - 26th Annual AARMEC Sthn Cross University	25th - 28th Sept 2004				Accomm. & booking sheets sent to Marilyn 2/3/04- to be displayed on conf. webpage
1st Field Squadron Reunion	26th - 28th Aug 2005				Being held Club Banora - 600 attendees
U/16 Boys Hockey Team	4th - 9th July 2004				Liaising with coach to secure booking
Local Govt Association	18-19 November 2004	Twin Towns			Competing with Coffs Harbour as a destination - approx 120pax - TBC 15/4/04
NSW Agriculture	pref 7 - 11 Feb 2005	Twin Towns			Up to 230 delegates - various accomm 3 day conference - venue/dest - TBA
Combined Comm Legal Centres National Conference 2005	Aug - Sept 2005				350 - 400 pax attending, submitted tender awaiting National Board decision - poss May
Total To Date:			121	\$8,632.50	

MEMBERSHIP

a. Current Financial Members

	April 2004	May 2003
Service	43	30
TACTIC	147	145
Reciprocal	4	3
Corporate	7	5
Corporate Affiliates	9	4
TOTAL	201 /210	183 / 187

b. *New members to be ratified*

Service 2
Lindisfarne Anglican School
Babareki Beads

Total Financial Members end May 2004 203/ 212 (with Corporate Affiliates)

c. *Membership Rates for 2004-2005*

With CPI at 2.0% the following membership rates are recommended.

- Service Membership – Currently \$130

2% increase would be \$2.60. Recommendation – no change – absorb \$2.60 in the TACTIC level membership so service level remains the same

- TACTIC Membership - Currently \$300

2% increase = \$6.00. Recommendation – Round up increase to \$310.00

- Corporate Membership - Currently \$660

2% increase = \$13.20. Recommendation, round up increase to \$675

Resolution:

“That Tweed & Coolangatta Tourism Inc Membership Rates for 2004-2005 be as follows:

Service \$130.00

TACTIC \$310.00

Corporate \$675.00”

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

1. Confidential Attachment - TACTIC Financials for April and May 2004
-

REPORTS FROM DIRECTOR ENGINEERING AND OPERATIONS

16 [ES] Tweed Road Contribution Plan, McAllisters Road Deviation Amendment

ORIGIN:

Planning & Infrastructure

FILE NO: xxx

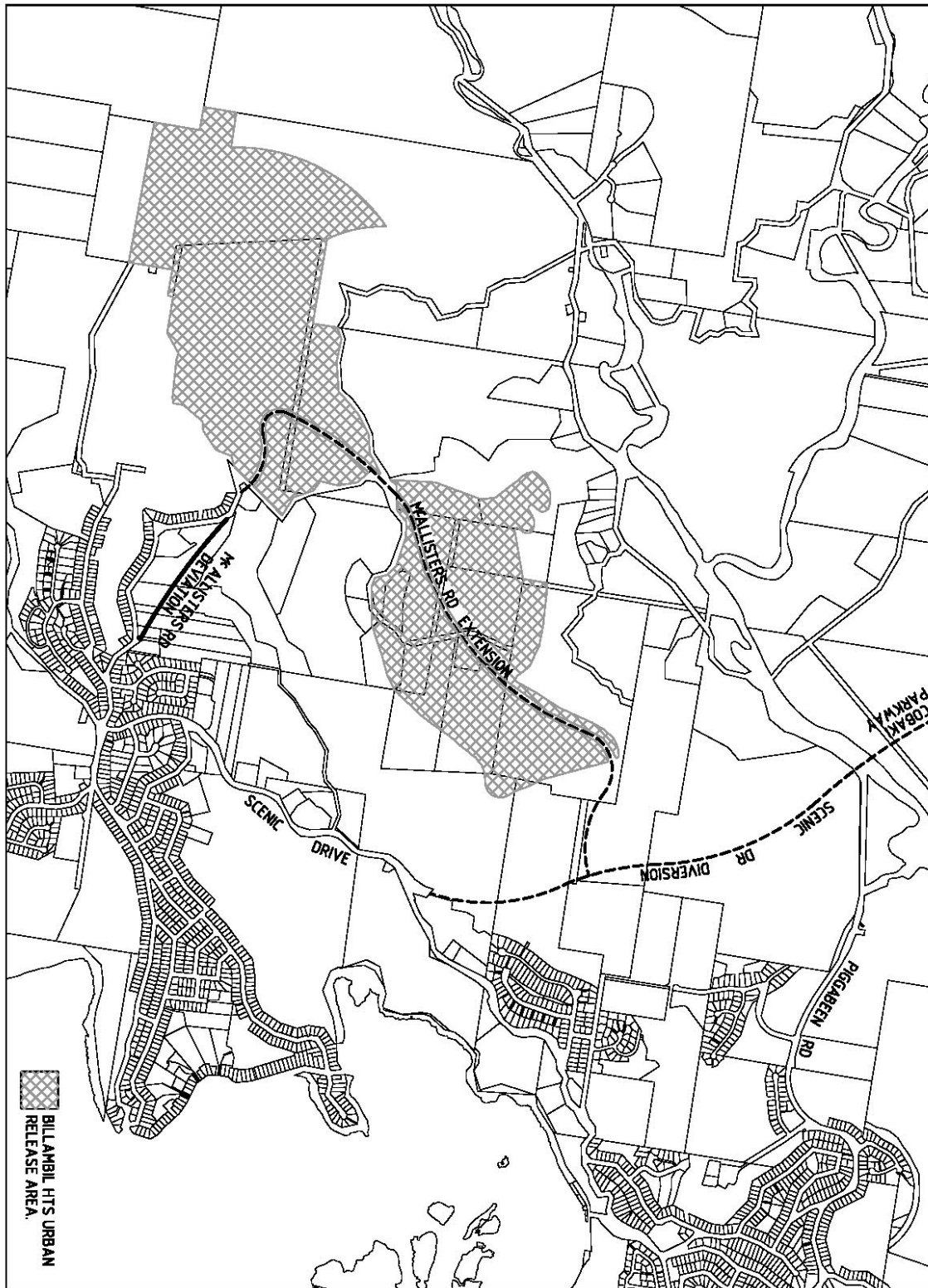
SUMMARY OF REPORT:

Draft version 4.8 of the Tweed Road Contribution Plan No 4 contains an amendment to replace the McAllisters Road Deviation with upgrading of McAllisters Road on its current alignment. The draft plan has been publicly exhibited and no submissions have been received. It is proposed to adopt the draft plan as exhibited.

RECOMMENDATION:

That Council, in accordance with Clause 31 of the Environmental Planning and Assessment Regulation 2000, approves the draft Tweed Road Contributions Plan, being Contributions Plan No. 4 - Version 4.8, in the form it was publicly exhibited.

REPORT:



1. Background

The current version of Tweed Road Contribution Plan No 4 - *Version 4.6* (TRCP) was adopted by Council to include additional works at Leisure Drive and the Machinery Dr/Minjungbal Dr intersection. It was adopted by Council on 22 January 2003.

Draft version 4.7 was exhibited to add the Kingscliff Bridge over Cudgen Creek to the works programme and finance it through a local area levy. Version 4.7 did not proceed due to objections from the major landowner. As an alternative a condition was placed on the SALT development consent that required upgrading of the existing bridge and adding a pathway/cycleway to the structure.

This version (4.8) proposes to delete the McAllisters Road Deviation from the works programme and substitute it with upgrading of McAllisters Road on its existing alignment.

2. Bilambil Heights Urban Release Area and Arterial Road Works on McAllisters Road

McAllisters Road (in an extended form) is planned as the arterial road access for the Bilambil Heights urban release area (potential population 8,000). The major northern access for the release area is to be via an extension of McAllisters Road to junction with the proposed Scenic Road Diversion which in turn leads to Piggabeen Road, Cobaki Parkway and the planned Tugun Bypass. A southern access for the release area is planned to utilise McAllisters Road (back to the McAllisters Rd/Scenic Dr/Simpsons Dr/Bilambil Rd intersection) as a direct neighbourhood connection to the existing Bilambil Heights urban area. The northern access is estimated to carry an ultimate 10,000 vehicles per day (vpd). The southern connection is estimated to carry 2,700 vpd.

The TRCP works program contains a number of items for the upgrading part of McAllisters Road so it can function as the southern road access for the release area. These works items include:-

20.	i/s – Scenic Dr, Simpson, McAllisters Rd and Bilambil Rd	\$299,750
21.	Upgrade b/n Scenic Dr to west of Buenavista Dr	\$97,419
22.	i/s – realign (T junction) old McAllisters Rd to new deviation	\$310,650
23.	Const. McAllisters Rd on new Alignment (downhill)	\$1,439,600

Item 23 is for construction of a deviation of McAllisters Road to the north of the existing alignment (between Number 23 and Number 111 McAllisters Road), with the deviation to carry through traffic and the existing alignment of McAllisters Road to be retained for local access to adjoining lots. Item 22 is for construction of the associated intersection between the new and existing roads.

Item 21 is for upgrading of McAllisters between Scenic Drive and the start of the deviation, on its existing road alignment. The proposed width of both the deviated and upgraded sections of road is 11m kerb to kerb.

The southern side of McAllisters Road between Numbers 23 and 111 is already developed into residential lots and dwellings. The northern side of this section of road is zoned 2(c) urban expansion (generally between the existing and deviated alignment of

McAllisters Road), but, is not subdivided into small urban lots and is still mostly used for rural and rural/residential purposes.

The owner of a substantial part of this undeveloped 2(c) land, part of which contains the alignment of the proposed deviation, wishes to submit a development application to subdivide the land into residential lots.

In normal circumstances the development consent would require dedication of the road reserve for the proposed deviation.

Preliminary investigations however, have revealed a number of concerns relating to the feasibility of the proposed McAllisters Road deviation which have prompted a review of this project.

3. Review of McAllisters Road Deviation

The TRCP works program proposes a 1km long deviation to the north of the existing alignment. The precise alignment of the deviation has not been determined, but, is indicatively shown on some concept plans for the Bilambil Heights release area. (See diagram at the beginning of this report.)

Preliminary investigations of the route have revealed:-

- The alignment of the deviation is along very difficult country. The general route is from east to west and its natural surface has a steep cross fall and it is cut by a number of gullies. The landform is such that large scale cut and fill earthworks will be required and because of the side slope fill embankments and consequently the underlying road reserve will be very wide.
- There is a significant risk that the route of the deviation may contain geotechnically unstable land.
- The gullies bisected by the route are likely to contain threatened species.

Having regard to these difficulties it is considered that the construction of a road along this route will be uneconomic and that environmental approval may not be achievable.

The route is an essential part of the infrastructure for the Bilambil Heights release area. If the deviation does not proceed then through traffic will default to the existing alignment of McAllisters Road.

The ultimate traffic volume along this section of road when the Bilambil Heights release area is fully developed is expected to be 2,700 vpd.

If the deviation is abandoned, the traffic volume on the existing alignment will ultimately increase by this amount.

Whilst it would be desirable to route this through traffic away from existing houses, the traffic volumes on this section are below the threshold requiring acoustic protection for adjacent residences, and traffic volumes would be no higher than for the section of

McAllisters Road further east which is lined with existing houses and has no planned deviation.

Owners of land through which the proposed deviation is to pass have requested an amendment to the TRCP to delete the deviation.

If the deviation is abandoned, then funding would be required to upgrade the adjacent section of existing McAllisters Road to a suitable standard. The standard proposed is 11m sealed road kerb to kerb, which is consistent with the proposed upgrade of McAllisters Road to the east (Item 21 in the TRCP).

The current TRCP works schedule estimated cost for McAllisters Road Deviation and the associated intersection with the existing road is:-

Item 22 intersection	\$310,650
Item 23 deviation	\$1,439,600
Total	\$1,750,350

The estimated cost for upgrading McAllisters Road on its existing alignment is \$856,300:-

As there are pending development applications for residential subdivisions in the area of the proposed McAllisters Road Deviation, the future of this road needs to be resolved. Given the practical difficulties in constructing the McAllisters Road deviation, an amendment to the TRCP should be exhibited that deletes the deviation and substitutes it with upgrading McAllisters Road on its present alignment.

4. Draft Version 4.8 Amendments to Section 94 Contribution Plan No. 4 - Tweed Road Contribution Plan

The following amendments are proposed in draft version 4.8 of the above plan:-

- (a) Amend Section 5.1 "Works" by inserting the following paragraph at the end of existing text:-

"Version 4.8 of this plan amends Table 5.1(a) "Works Schedule" and Schedule 6 "TRDS Project Costings" by deleting item 22 and substituting existing item 23 with:-

"23 Const McAllisters Rd on existing alignment Total Cost \$856,300"

- (b) Amend "**CONTRIBUTION PLAN No 4 VERSIONS/EDITIONS**" by adding:-

"Draft Version 4.8 amends the works programme by the deletion of the McAllisters Road deviation and substituting with upgrading McAllisters Road on its existing alignment."

5. Public Exhibition

The draft contribution plan was placed on public exhibition from 11 May 2004 until 8 June 2004. A number of telephone calls and counter enquiries were attended to providing clarification of the proposal. No submissions were received.

It is therefore proposed to adopt the draft plan, without further alteration, in the form it was exhibited.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

17 [ES] Infrastructure Programme 2004/05

ORIGIN:

Works

SUMMARY OF REPORT:

Submitted for Council's consideration is the Infrastructure Programme for the 2004/2005 budget year at a total cost of \$38.7 million. This program includes improvement to the following asset areas:-

- Roads
- Bridges
- Drainage
- Water Supply
- Sewerage
- Recreation Facilities

The road, bridge and drainage works generally follow the five year programme submitted to Council last year.

The Road programme concentrates mainly on preservation of the existing sealed pavement asset. The roads programme has been determined from the Pavement Management System which is explained in the main report.

A separate program is submitted also for the approved additional rate increase.

RECOMMENDATION:

That the Infrastructure Programme as submitted be approved.

REPORT:

Submitted for Council's consideration is the Infrastructure Programme for the 2004/2005 budget year. This programme includes improvement to the following asset areas:-

- Roads
- Bridges
- Drainage
- Water Supply
- Sewerage
- Recreation Facilities

The road, bridge and drainage works generally follow the five year programme submitted to Council last year.

The road programme concentrates mainly on preservation of the existing sealed pavement asset. The roads programme has been determined from the Pavement Management System (PMS).

Council has had a PMS for some 15 years. The system rates the various segments of each sealed road according to agreed standards. The system was devised by the RTA and is universally accepted method of comparing roads. Each of Council's 3000 segments is rated visually every 3 years for the following defects:-

- Cracking
- Rutting (deformations)
- Local Defects (pothole)
- Pavement Defects (failures)
- Seal Condition
- Edge Break
- Number of Patches

The system can be queried to determine the worst sections of sealed road in the Shire. Other factors used in determining priorities are:-

- School bus routes
- Traffic volumes vs road width
- Safety record
- Drainage problems

The PMS can be used to value the road system for accounting purposes.

A separate programme is submitted also for the approved additional rate increase.

The program for the sealing of school bus routes is recommending sealing approximately one kilometre each on five roads. This is considered an economical length on each

road. It is proposed that those roads which have had some sealing in the last two years not be recommended at present and that following this years work the roads be re-rated. It is proposed that all sealing start at the end of existing seals and not construct isolated sections. Following the re-rating the priorities may have changed with the safety factor being reduced. At the end of this report is the full list of school bus routes on gravel roads.

The \$316,000 to be spent on roads from the additional rate rise is recommended to be spent on resheeting of urban roads. By resealing roads when required the asset will be preserved and savings will be made on reconstruction costs in the long term.

1. Urban Road Construction	\$2,048,931
Concrete Footpaths	75,000
Walsh Street Chinderah	210,000
Myrtle Street Murwillumbah	210,900
Quarry Road, Murwillumbah	83,031
Coolman Street Tyalgum	210,000
Bawden Street Tumbulgum	170,000
Broadwater Esp Bilambil Heights	200,000
Church Street Murwillumbah	150,000
Philp Parade Tweed Heads South	60,000
Peninsula Drive Bilambil Heights	180,000
Coral Street Tweed Heads	250,000
Tweed Terrace Tweed Heads	200,000
Elanora Avenue Pottsville	50,000
	\$2,048,931

2005/06

Kennedy Dr
 King St Fingal
 Reynolds Street
 Mitchell St Uki
 Mc Allisters Rd Intersection
 Wollumbin St Tyalgum
 Broadwater Esp
 Peninsula Dr
 Lundberg Dr
 Myrtle St

2007/08

Machinery Dr
 Towners Ave
 Hillcrest Ave
 Brisbane St
 Buchanan St
 River St

2006/07

Altair St
 Marshall St Uki
 Fern St
 Lalina Ave
 Broadwater Esp
 Nullum Lane
 Wentworth Lane
 Buckingham Dr
 Edward Ave
 Riverside Dr
 Tumbulgum
 Overall Dr

2008/09

Eyles Lane
 Rouse Lane
 Wentworth Lane
 Brisbane St
 Moolau Ave

2. Rural Road Construction	\$1,323,700
Gravel Resheeting (Residents Contributions)	240,700
Dulguigan Rd	180,000
Pottsville Rd	130,000
Duranbah Rd	120,000
Cudgen Rd	130,000
Cobaki Rd	73,000
Burringbar Rd	130,000
Leddays Creek Rd	130,000
McAuleys Rd	75,000
Carool Rd	115,000
	<hr/> \$1,323,700 <hr/>
 2005/06	 2006/07
Nobbys Creek Rd	Yugari Rd
Porters Rd Crossing	Racecourse Rd
Upper Crystal Creek Rd	Carool Rd
Piggabeen Rd	Crooks Valley Rd
Stokers Rd	North Arm Rd
Crabbes Creek Rd	Eviorn Rd
Urluip Road Crossing	Piggabeen Rd
Sleepy Hollow Crossing	
 2007/08	 2008/09
Hidden Valley Rd	Langes Rd
Cadell Rd	Piggabeen Rd
Carool Rd	Stokers Rd
Tyalgum Rd	Tyalgum Rd
Zarra Rd	Wooyung Rd
 3. Roads to Recovery (Balance of Program)	 \$130,000
Smarts Rd	130,000
 4. Federal Assistance Programme	 \$1,646,000
Advance Survey & Land Acquisition	46,000
Byangum Bridge Approaches	1,100,000
Repair Program (Kyogle Rd) 50%	300,000
Piggabeen Rd	200,000
	<hr/> \$1,646,000 <hr/>
 5. Repair Programme	 \$310,000
Kyogle Rd - High School	145,000
Kyogle Rd - Uki to Clarrie Hall Dam Rd (Start)	165,000
	<hr/> \$310,000 <hr/>

2005/06

Kyogle Road - Uki to Clarrie Hall Dam Rd
Numinbah Rd

2006/07

Numinbah Rd

6. Tweed Road Contribution Plan

A five year program is proposed for arterial roadworks to be financed by the Tweed Road Contribution Plan. It is likely that funds in the order of \$11M will be available over that period. The proposed works centre on Kirkwood Road and ramp connections to the Tweed Heads Bypass. The available funds will not provide for any Tweed Coast works to be undertaken over the next five years. These works will be deferred even further if Council cannot obtain approval for the Kirkwood Road ramps as the alternative separate bridge over Terranora Inlet and stand alone service road to Kennedy Drive will require an additional allocation of some \$9M.

For planning and design purposes, the following items have been adopted for the next five year works program to be funded by the Tweed Roads Contribution Plan Pool.

Description	Estimated Cost
Shallow Bay Dr to Eastlakes Dr connections	200,000
Intersection Kirkwood Rd & Fraser Dr	463,000
Kirkwood Rd, Fraser Dr - Motorway	1,848,742
Kirkwood Rd bridge over motorway	2,384,375
Kirkwood Rd, motorway to Minjungbal (part only to Falcon Way, 780m to 1350m)	935,220
Kirkwood Rd, western ramps onto motorway	392,400
Kirkwood Rd, eastern ramps onto motorway	1,155,650
Enterprise Ave to Kirkwood Rd link	500,000
Fraser Dr, Leisure Dr to Kirkwood Rd (1,300m part)	3,339,648
Total	\$11,219,285

7. Bridge Replacement

\$1,000,000

Byangum Bridge

1,000,000

2005/06

Quinns Br Reserve Creek Rd
Giddys Br Urliup Road

2006/07

Charltons Br Cudgera Cr Rd
Richards Br, Stokers Rd

2007/08

McCabes Br Doon Doon Road
Ottes Br Byrrell Creek Rd

2008/09

8. Drainage - Major Works

\$1,000,000

Frances St Tweed Heads
Proudfoots Lane

200,000

500,000

Pottsville - Elanora Ave	300,000
2005/06	2006/07
Broadwater/Banora Tce	Fingal Village
Proudfoots Lane	Kingscliff North
2007/08	
Kingscliff Nth	
Wommin Bay Rd	
9. Drainage-Augmentation	\$600,000
Mooball St Murwillumbah	40,000
Bione Ave Banora Point	120,000
Dry Dock Rd/Cox Ave	35,000
Dralington Dr/Lochlomond Ave	138,000
Bongaree Road	30,000
Uki Buttery	10,000
Pearce Street Banora Point	30,000
Raward Ave Banora Point	40,000
Queensland Road Culvert	60,000
Terranora Rd - Blue Haze Crt	5,000
Adina Pl Banora Point	22,000
	<hr/>
	\$600,000
10. Concrete Footpath Construction	\$150,000
Pioneer Pde - Kittiwake to the School	
Kittiwake St - Sextons Hill to Pioneer Pde	
Kennedy Dr - Widen Path near Second Ave	
Kingscliff St - Pacific St to Ozone St	
Amaroo Dr - Ash St to Darlington Dr	
Kennedy Dr - No. 106 to Gray Street	
Buchan Ave - Keith Compton Dr to Solander St	
River St - Colin St to Smith St	
Wardrop St - Holland St to Colin St	
Ingram Place - existing to Bus Stop	
11. Cycleway Construction	\$170,000
Chinderah Bay Dr - Waugh St to Barney's Pt Br	
12. Wollumbin Street Streetscaping	\$30,000
13. Asphalt Resurfacing	\$255,000
Blundell Bldg	37,700
Murraba Cres	6,700
Peninsula Dr	3,920
Bimbadeen Ave	18,270
Cominan Ave	6,830
Cominan Ave	6,450

Cominan Ave	3,860
Cominan Ave	3,650
Cominan Ave	10,630
Cominan Ave	6,070
Currawong Pl	3,160
Worendo Pl	5,120
Carrington Ct	22,490
Rayles Lane	5,180
Rayles Lane	3,030
Cudgen Rd	3,960
Cudgen Rd	14,160
Kingscliff St	36,850
Seabrae Ct	8,800
Elizabeth St	5,100
George St	6,650
James St	4,260
Peri St	6,170
Riverside Dr	8,500
Tumbulgum Rd	1,290
York St	2,480
York St	14,030

14. Water Supply and Sewerage - Capital Works

The following program includes significant works related to both growth and the replacement or upgrade of existing assets.

The funding for these works is provided from Council's Water and Sewer Capital Contribution Reserves (CCR) and Asset Replacement Reserves (ARR).

While the combination of these reserve balances are currently significant the current year's program and the likely five year Works Program required to meet growth will utilise these Reserves. The Water and Sewer Funds will need to be managed to ensure large capital expenditures are provided on a 'just in time' basis to minimise the requirement for future borrowings and the associated increases in water and sewer Access and User charges.

A long term financial plan for the Water and Sewer Funds is currently being prepared and will be presented to Council for consideration later this year.

The five year program includes the following significant items:-

- \$41M on a new 25,000 Equivalent Person (EP) Sewage Treatment Plant at Kingscliff.
- A significant program relating to the diversion of sewerage to the new Kingscliff Sewage Treatment Plant including a number of pumping stations and sewer rising mains.

- \$36M on the upgrade of the Bray Park Water Treatment Plant, major water pumping stations and clear water storages to a capacity of 100 Megalitres per day.
- Approximately two new service reservoirs per year at an average cost of \$1M each.
- Associated trunk pipelines to service these reservoirs.
- The remaining works generally relate to the replacement of existing infrastructure due to its condition or the requirement to increase its capacity to service growth.

14a. Water Supply - Capital Works

CH Dam Spillway	250,000
Bray Park Weir	800,000
Bray Park WTP Clear Water Storage Aug	650,000
Bray Park WTP Aug to 100ML	5,000,000
WPS 2 Durroon Ave Bray Park	4,000,000
WPS 3 Terrace St Chinderah	200,000
WPS 5 Banora Point Res	50,000
WPS 6 Walmsleys Res	50,000
WPS 8 Hillcrest Res	50,000
WPS 22 Chambers Booster PS	450,000
Banora Point Reservoir (repair)	60,000
Duranbah 2 Reservoir	1,500,000
Hospital Hill 3 Reservoir	1,085,000
Pottsville West 2 Reservoir	200,000
Hospital Hill to Tumbulgum Road	350,000
Dry Dock Rd to Razor Back	600,000
Bypass to Boyds Bay Bridge	400,000
Overall Drive 300mm	220,000
WPS 3B to K'Cliff Res	760,000
Chinderah Bay Drive WPS 3 South to Bypass	500,000
WPS 3 North to River St	150,000
Duranbah Main Duplication Across Motorway	300,000
Duranbah Main Protection through Sand Quarry	200,000
Hospital Hill Res Overflow Line	280,000
Hillcrest Ave	80,000
Byangum Road 250 and 150mm	355,000
Church St	30,000
O'Connor Drive	28,000
Myrtle Street	133,000
Sextons Hill	100,000
Minjungbal Drive Tweed Heads South	35,000
Total	<u>\$18,541,000</u>

14b. Sewerage Capital Works

SPS 2003 Beryl Street	240,000
SPS 4034 Cnr Phillip & Ozone	380,000
SPS 5008 Rajungra Street	300,000

SRM 1015 Tweed Valley Way	216,000
SRM 2003 Beryl Street	50,000
SRM 2005 Meridian Way	70,000
SRM 2018 Gollan Drive (Park)	1,600,000
SRM 2032 Caloola Drive	97,500
SRM 2033 Afex Park	40,000
SRM 3015 Bosun Boulevard	200,000
SRM 3027 Shallow Bay Drive (Former Egg & I site)	250,000
SRM 4003 Ocean Street	145,000
SRM 5005 Creek Street	150,000
SRM 5008 Rajungra Street	550,000
SRM 5014 Overall Drive	200,000
SRM 5016 Cudgera Avenue (Koala Beach)	50,000
Trunk to SPS 3006 Darlington Dr	135,000
Trunk to SPS 3020 Ammaroo	65,000
Trunk to 2020 Jacaranda Ave	75,000
Kingscliff Lines B, E, H to SPS 4005	135,000
Kingscliff A/39 to A/38	8,000
Kingscliff A/19 to A/18B	7,000
Kingscliff A/17 to A/15A	27,000
Kingscliff BC/2 to A/1	48,000
Pearl & Florence St	75,000
Andrew Ave Pottsville	100,000
Balmoral Ave Pottsville	100,000
South Murwillumbah EG/12 to EG/10	45,000
Tweed Heads STP Eff Quality Upgrade	750,000
Banora Point STP	520,000
Kingscliff STP	2,500,000
Kingscliff STP Interim Upgrade	300,000
Hastings Point STP	400,000
Total Sewer	\$9,833,500
15. Sealing School Bus Routes (Rate Rise)	\$466,000
Duroby Creek Road	\$96,000
Palmvale Rd	140,000
Duranbah Rd	110,000
Hopkins Creek Rd	120,000
	\$466,000
16. Additional Asphalt Resheeting (Rate Rise)	\$316,000
Boyd Street	18,790
Gollan Dr	24,220
McAllisters Rd	3,370
Nerang St	6,860
Panorama Dr	6,020
Panorama Dr	6,510
Stuart St	18,020

The Quarterdeck	\$2,210
Acacia St	15,310
High Street	3,430
Pacific Dr	18,490
Pacific Dr	4,060
Pearse St	3,830
Raward Ave	7,510
Sunshine Ave	1,660
Sunshine Ave	12,670
Sunshine Ave	14,010
Dalton St	1,620
Dalton St	2,620
Gladioli Ave	21,930
Parkes La	8,970
Crown St	2,540
Hastings Rd	7,570
Hastings Rd	4,460
Kingscliff St	10,380
McPhail Ave	9,410
Olga St	8,120
Orient Lane	4,730
Phillip St	1,680
Rajungra Ave	3,220
Tamarind Ave	3,340
Cane Rd	14,220
Commercial Road	13,840
Government Rd	3,450
O'Connor Dr	16,080
Riverside Dr	10,860
Total	<u>\$316,000</u>

17. Drainage Asset Works (Rate Rise)	\$100,000
• Condong/Riverview Sts Intersection M-Bah	15,000
• River Street Murwillumbah	11,000
• Tumbulgum Road Murwillumbah	17,000
• Ewing Street Murwillumbah	6,000
• Queen Street Murwillumbah (Ambulance Station Grate)	11,000
• Proudfoots Lane Murwillumbah (Western End)	6,000
• Park Ave Murwillumbah	4,000
• Old Ferry Road/Tumbulgum Road Murwillumbah	4,500
• Mooball Street Murwillumbah	3,500
• Ducat Street Tweed Heads	7,000
• Meridian Way Tweed Heads	15,000
Total	<u>100,000</u>

18. Footpath Asset Repairs (Rate Rise)	\$50,000
Police Station/Courthouse	11,500
Police Lane to ANZ Bank	8,500
Queen Street Murwillumbah - BCF Building	8,500
Marine Parade Kingscliff	9,000
Wollumbin Street - RSL	8,500
Wollumbin Street - Sunnyside	4,000
Total	<u>\$50,000</u>
19. Sportsfields	
Arinstall Park	73,000
Les Cave	50,000
Pottsville	80,000
Walter Peate	200,000
Ron Wilkinson	135,000
West Murwillumbah	100,000
Total	<u>\$638,000</u>
20. Passive Recreation	
Quota Park	35,000
Ducat Park	40,000
Murwillumbah	60,000
Banora Point	435,000

GRAVEL ROADS WITH SCHOOL BUS ROUTES 2004

NAME	LENGTH (KM)	TRAFFIC (EST)	SCHOOL BUS	MAINTENANCE RATING	SAFETY RATING	THROUGH ROAD	OTHER DEVELOPMENT	POINTS SCORE	COST TO SEAL	SAFETY AND SCHOOL BUS RATING	SAFETY, SCHOOL BUS AND TRAFFIC RATING	ESTIMATED COST TO SEAL
Duroby Ck Rd Quarry-end	0.77	50-100	yes	6	3.9	no	no	27	120/km	17	21	\$96000
Byrrell Ck Rd 142 - Bus t'round	5	250+	yes	6	1.4	yes	yes	37	200/km	15	21	\$1,000,000
Palmvale Rd	4.2	50-100	yes	8	2.6	no	no	26	150/km	14	20	\$630000
Urlinip Rd - west bus t'round-dip	3.1	0-50	yes	6	3.5	yes	no	30	150/km	17	19	\$465000
Urlinip Rd - east Dip - EOB	2.7	50-100	yes	6	2.6	yes	no	29	300/km	14	18	\$810000
Duranbah Rd	1.7	50-100	yes	6	2.4	no	no	19	120/km	14	18	\$205000
Hopkins Creek Rd (B)	1	100-150	yes	8	2	no	no	26	120/km	11	17	\$120000
Kanes Rd	1.3	50-100	yes	6	1.2	yes	no	26	150/km	11	17	\$195000
Upper Crystal Creek Rd (B)	1	0-50	yes	6	3	no	no	25	80/km	14	16	\$80000
Brooks Rd	1.7	0-50	yes	4	2.3	no	no	20	100/km	14	16	\$170000
Chowan Ck Rd	3	0-50	yes	4	2	no	no	20	120/km	14	16	\$360000
Brays Creek Rd	4	50-100	yes	8	1.75	no	no	23	120/km	11	15	\$480000
Commissioners Ck Rd	5.6	50-100	yes	8	1.4	no	no	23	150/km	11	15	\$840000
EOB-bus t'round												
Nobbys Creek Rd	3.5	50-100	yes	8	1.6	no	no	23	100/km	11	15	\$350000

[Gravelroads]

NAME	LENGTH (KM)	TRAFFIC (EST)	SCHOOL BUS	MAINTENANCE RATING	SAFETY RATING	THROUGH ROAD	OTHER DEVELOPMENT	POINTS SCORE	COST TO SEAL	SAFETY AND SCHOOL BUS RATING	SAFETY, SCHOOL BUS AND TRAFFIC RATING	ESTIMATED COST TO SEAL
Upper B'bar Rd seal-Geles Rd	0.8	50-100	yes	4	1.3	no	no	19	80/km	11	15	\$64000
Hopkins Creek Rd (A)	3	100-150	yes	8	0.7	no	no	22	200/km	8	14	\$600000
Tyalgum Crk Rd	3.9	100-150	yes	6	0.5	no	no	20	200/km	8	14	\$780000
Upper Crystal Creek Rd (A)	0.25	100-150	yes	6	1	no	no	20	100/km	8	14	\$25000
South Pumpenbil Rd	3.6	100-150	yes	6	0.3	no	yes	25	100/km	8	14	\$360000
Hopkins Creek RD (C)	2.3	0-50	yes	8	0.9	no	no	18	80/km	8	10	\$185000
Duroby Ck Rd EOB-Quarry	0.5	50-100	yes	6	0	no	Quarry	23	80/km	5	9	\$40000
Hulls Rd	0.5	0-50	yes	4	0	no	no	14	80/km	5	7	\$40000
Tea Tree Rd	0.46	0-50	yes	2	0	No	No	12	60/km	5	7	\$30000
Total Cost to Seal												\$8.1M

[Gravelroads]

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

All funds included in the 2004/2005 approved budget.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

18 [ES] Road Naming - Lomandra Avenue

ORIGIN:

Design

FILE NO: GS5/1/ Pt 3

SUMMARY OF REPORT:

At its meeting held on 28 April, 2004 Council resolved to publicise its intentions to re-name Lomandra Avenue to "*Lomandra Avenue*" for the road to be dedicated in the plan of subdivision of Lot 909 in DP 1052079.

The re-naming was advertised in the Tweed Link on 4 May, 2004 and in the NSW Government Gazette on 7 May, 2004, allowing one month for submissions and/or objections to the re-naming. No submissions have been received.

It is now necessary to resolve to formally adopt and gazette the re-naming of the road in the Government Gazette and Tweed Link.

RECOMMENDATION:

That :

1. Council adopts the re-naming of the public road to be dedicated in the plan of subdivision of Lot 909 in DP 1052079 as *Lomandra Avenue*; and
2. The re-naming of the road be gazetted under the provisions of the Roads (General) Regulation, 1994 and the Roads Act, 1993.

REPORT:

As per Summary of Report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

19 [ES] Draft Plan of Management for Recreation Street Public Reserve, Tweed Heads

ORIGIN:

Recreation Services

SUMMARY OF REPORT:

At its meeting held Wednesday 28 April 2004, Council resolved to place the draft Plan of Management for the Recreation Street Public Reserve on public exhibition, and to hold a public meeting in accordance with the Local Government Act 1993.

The draft plan was on public exhibition from 3 May to 16 June 2004. The public meeting, held 25 May 2004, was attended by 12 people, none of whom raised any objections. Six (6) submissions were received, all of which supported the plan. One (1) submission suggested some minor amendments.

Minor amendments have been made to the plan, based on this submission and minor typographical corrections. These changes do not affect the content or outcomes of the plan, and no further public consultation is considered necessary.

RECOMMENDATION:

That the draft Plan of Management for the Recreation Street Public Reserve, being Lot 1 DP133066 on Recreation Street, Tweed Heads be adopted.

REPORT:

At its meeting held Wednesday 28 April 2004, Council resolved to place the draft Plan of Management for the Recreation Street Public Reserve on public exhibition, and to hold a public meeting in accordance with the Local Government Act 1993.

The draft plan was on public exhibition from 3 May to 16 June 2004. The public meeting, held 25 May 2004, was attended by 12 people, none of whom raised any objections. Six (6) submissions were received, all of which supported the plan. One (1) submission suggested some minor amendments. All submissions were in support of the Family Day Care Administrative Facility, which has been proposed for this area.

Minor amendments, which do not affect the outcomes of the plan, have been made based on to the submissions and minor typographical corrections. Amendments include:

1. Management Unit 2 (General Community Use) will be increased in size by moving the line separating the zones north by around 10 metres, to ensure proposed facilities can fit within the zone. This is a very minor amendment given the scale of the drawings.
2. The 'Table of Permissible Development' (section 9) be amended to include 'community buildings' as development permissible with consent. The draft plan stated 'buildings' only. This is a minor amendment.
3. Delete reference to 'Freckles Child Care Centre', and include 'Twin Towns Preschool' and 'Twin Towns Playgroup'.

These amendments are not considered significant, and another public consultation period is not required.

Accordingly, it is recommended that the draft Plan of Management for the Recreation Street Public Reserve, being Lot 1 DP133066 on Recreation Street, Tweed Heads be adopted.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

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20 [ES] Naming of Park in Dulguigan

ORIGIN:

Recreation Services

SUMMARY OF REPORT:

At its meeting held 5 May 2004, Council resolved to call for comment regarding the naming of an area adjoining Pat Smith Park, Dulguigan, "Knight Family Park".

At the close of comment no submissions were received.

RECOMMENDATION:

That Council names the area adjoining Pat Smith Park, Dulguigan, "Knight Family Park" and erects signage.

REPORT:

At its meeting held 5 May 2004, Council resolved to call for comment regarding the naming of an area adjoining Pat Smith Park, Dulguigan, "Knight Family Park".

At the close of comment no submissions were received.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

Nil.

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

1 [AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 4 June 2004

FOR THE CONSIDERATION OF COUNCIL:

VENUE:

HACC Activities Room, Tweed Heads South

TIME:

10.15 am

PRESENT:

Cr M R Boyd	Tweed Shire Council
Chris Morgan	Tweed Wollumbin AECG
Jackie McDonald	Tweed Wollumbin AECG
Dale Williams	
Magdy Youssef	Tweed Heads Ministerial Taskforce
Trevor Wilson	Department of State and Regional Development
Kathleen Lena	
Clare Gray	Tweed Byron Local Aboriginal Land Council
Robert Vidler	Yabur Yulgun CDEP Aboriginal Corporation
David Follent	
Maureen Logan	
Janette Saunders	
Kevin Slabb	
Tracey Mackenzie	ACLO, Department of Education and Training
Joyce Summers	
Pam Veness (Minutes)	

APOLOGIES:

Franc Krasna, Steve Jamieson, Russell Logan, Khani Hawthorne, Colleen Smith

Cr Boyd declared the Chair vacated and called for nominations. David Follent was nominated to chair this meeting.

Moved: Jacki McDonald

Seconded: Kathleen Lena

Mr Follent was unanimously elected Chair of the Aboriginal Advisory Committee for this meeting.

MINUTES OF PREVIOUS MEETING:

Moved: Cr Boyd

Seconded: Jacki McDonald

RESOLVED that the minutes of the meeting held Friday 7 May 2004 be accepted as a true and accurate record of the proceedings of that meeting.

The meeting was addressed by Magdy Youssef, the Project Manager for the Tweed Heads Ministerial Taskforce. The Draft Town Centre Masterplan was released on 11 May 2004 for public exhibition until 31 May 2004.

Mr Youssef outlined the elements of the Masterplan and is to provide enlarged maps of the Jack Evans Boat Harbour Precinct area for the Committee.

BUSINESS ARISING:

Item from Meeting held Friday 7 May 2004

5. Eastern Yugambah Limited – Gold Coast Airport Limited

Correspondence from Gold Coast Airport Limited tabled. Committee members will follow-up to arrange an inspection of the proposed runway extension.

2. Hydrotherapy Pool – Tweed Heads

The matter has been referred to the Director Environment and Community Services to advise of issues involved.

3. Speeding Traffic – Letitia Road, Letitia Spit

The matter has been referred to the Director Engineering and Operations.

4. Greenmount and Kirra Hills – Closure of Access Paths

Council will write to Gold Coast City Council advising of the issue and seeking their comments on initiating a discussion protocol on Aboriginal and Islander matters.

7. Collection of Indigenous History by Tweed Heads and District Historical Society

Representative Elders and the Historical Society have met and the Elders have given their support to the work being undertaken. The Secretary of the Tweed Heads Aboriginal Cultural Advisory Committee has forwarded a letter of support to the Historical Society.

5. Aboriginal Advisory Committee – Support Worker

The Committee welcomed Mr Robert Vidler, General Manager of Yabur Yulgun CDEP Aboriginal Corporation. Mr Vidler outlined the documentation and procedure for recruitment of a CDEP participant to the support role. Tweed Byron Local Aboriginal Land Council will be asked to forward nominations for consideration as the Support Worker.

GENERAL BUSINESS:

1. Citizenship Ceremonies

The Committee discussed the policy regarding the statements of acknowledgement to the Bundjalung Nation at significant occasions and the exclusion of Citizenship Ceremonies from the policy.

A member of the Tweed Heads Aboriginal Cultural Advisory Committee will attend the Community Access meeting on 9 June to inform Council of the Committee and its functions.

Moved: Cr Boyd

Seconded: Dale Williams

RESOLVED that in view of the advice provided to Ms Audrey Hadley by the General Manager on 19 May 2004 with regard to her request for a local Aboriginal welcome at her Citizenship Ceremony, the Tweed Heads Aboriginal Cultural Advisory Committee has compiled and forwarded details of those people recognised to carry out that function and in future this Committee would appreciate action being taken to contact those people on all occasions as per the current policy and as may be requested.

Moved: Jacki McDonald
Seconded: Kevin Slabb

RECOMMENDATION:

That a workshop be held with Councillors and Senior Management to address issues concerning the local Aboriginal community and indigenous cultural awareness.

CARRIED

2. Lot 490 DP 47021, Tweed Coast Road, Kingscliff

The Committee expressed concern regarding the proposed development on this portion of Crown Land. The Committee requested a copy of the Coastal Management Plan and a map of the Crown Lands in the Shire. These will be provided at the next meeting

3. Tugun Bypass Project

Discussion regarding the approved C4 route of the Tugun Bypass, and the impact on sensitive wetlands.

4. NAIDOC Week School's Initiative - Spellbound Television

The Committee discussed correspondence from Spellbound Television, provided by Geoff Edwards, regarding the proposed 2004 Schools Initiative to be held during NAIDOC Week. It was felt there was little time left to organise any Council involvement or sponsorship of this project.

NEXT MEETING:

The next meeting of the Aboriginal Advisory Committee will be held on Friday 2 July at the HACC Activities Room, Tweed Heads South commencing at 10.00am.

The meeting closed at 2.00 p.m.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

General Business

Item 1. Citizenship Ceremonies

- (a) That Council uses the list of contacts provided by the Tweed Heads Aboriginal Cultural Advisory Committee when issuing invitations.

 - (b) That a workshop be held with Councillors and Senior Management to address issues concerning local aboriginal community and indigenous cultural awareness.
-

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2 [TRC] Minutes of the Tweed River Committee Meeting held Wednesday 9 June 2004

FOR THE CONSIDERATION OF COUNCIL:

VENUE:

Canvas & Kettle Meeting Room, Murwillumbah Civic Centre

TIME:

9.30am.

PRESENT:

Cr M Boyd, Cr H James (Chair), Cr L Beck (Tweed Shire Council); R Hagley (Department of Planning, Infrastructure & Natural Resources); C Cormack (Waterways Authority), B Loring (NSW Fisheries); R Quirk (Tweed River Advisory Committee & NSW Cane Growers' Association); G Edwards, G Judge, J Lofthouse, T Alletson, (Tweed Shire Council).

INFORMAL AND SPECIAL GUESTS

Kevin Riddell & Jim Green (Waterways Authority); Sandra Zietlow (Minutes Secretary)

APOLOGIES:

Mayor W Polglase, Mr N Newell (State Member for Tweed); Ms R James (Caldera Environment Centre), David Oxenham (Tweed Shire Council).

MINUTES OF PREVIOUS MEETING:

Moved: Cr Boyd

Seconded: Richard Hagley

RESOLVED that the Minutes of Meeting held Wednesday 12 May 2004 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

Item 1 from Meeting held 11/2/04

**1. Stotts Channel Draft Vegetation Management Plan
Tweed River Management Plan, Stotts Island Nature Reserve**

T Alletson advised the Committee that the Draft Vegetation Management Plan had been signed off by all parties. An application to undertake works will now be submitted. The applicant will be the Drainage Union, with Tweed Shire Council to undertake preparation of the licence.

Cr Boyd enquired if channel markers would be placed permanently in the stream.

Tom Alletson advised there is nothing stating in the report that markers be permanently placed in the stream.

There was discussion concerning the long term monitoring of the width of the channel, with reference to establishing permanent markers in the channel. It was determined that the best approach to channel width monitoring was to approach Councils surveyors and have a series of channel cross sections prepared, with further advice from them on the most appropriate means of monitoring channel silting.

Moved: Cr Boyd

Seconded: R Hagley

RESOLVED that the Committee adopt the endorsed Vegetation Management Plan, Stotts Channel, Tweed River, April 2004 and submit the application and proceed with the works.

Moved: Cr Boyd

Seconded: Cr Beck

RESOLVED that the executive investigate the cost of surveying a number of cross and long sections at critical locations in Stotts Channel.

Item 1 from Meeting held 12/5/04

1. Committee Representation

Tweed River Committee

At the last meeting the need to review committee representation was discussed. The following table shows the frequency of attendance by various committee members in the past 12 months. The level of representation of different sectors within the community should be considered further, given the changing natural resource framework established through the Catchment Management Authority, or other influences as identified by the Committee.

Tweed River Committee attendance April 03 to May 04

Cr H James	Councillor	7/7
Cr M Boyd	Councillor	6/7
R James	Environment	5/7
R Hagley	DIPNR	7/7
T Rabbidge	DIPNR	0/7
C Cormack	Waterways Authority	3/7
B Loring	NSW Fisheries	2/7
R Quirk	Cane Growers, CMA	6/7
N Newell	State Member	0/7
D Gray	Dredging Industry	2/7
L Tarvey	NPWS	5/7
G Judge	TSC	3/7
T Alletson	TSC	7/7
D Oxenham	TSC	5/7
G Edwards	TSC	5/7 (3 alt)
J Lofthouse	TSC	6/7

Jane Lofthouse advised that a letter would be sent to current Committee members to reconfirm their commitment to this Committee.

Kevin Riddell suggested that we invite a representative from the Department of Lands.

Cr James suggested we write to the General Manager of the CMA asking for representation on this Committee.

R Quirk suggested that we contact Department of Environment & Conservation requesting confirmation of a representative on this Committee.

Agreed that the Committee seeks expressions of interest for two new positions.

Moved: R Quirk

Seconded: B Loring

RESOLVED that Expressions of Interest be called for two new positions on this Committee.

1. Upper catchment community representative with demonstrated experience and interest in river ecology and riparian restoration works.
2. Waterway User Group – commercial, recreation or industry.

RECOMMENDATION:

That Council calls for Expressions of Interest for two new positions on the Tweed River Committee.

Item 2 from Meeting held 12/05/04

2. Fingal Head Community Association

Tweed River Committee, Fingal Boatharbour

Fingal Head – Old Boat Harbour (letter from Fingal Head Community Association)

Tom Alletson discussed a proposal for reducing the conflict between boat users and swimmers in the old boat harbour.

He suggested that bollards be placed around the outside of the harbour to prevent boats being launched there, and improved signage to show delineation between boat beaching and swimming areas.

Kevin Riddell confirmed that Waterways Authority supported these actions, and also suggested that some loose rock/debris be cleared of the beach so that the area within the harbour that can be utilised for swimming is increased.

Moved: C Cormack

Seconded: R Quirk

RESOLVED to proceed with three tasks:-

1. Install bollards around the outside of the Old Fingal Head Boatharbour.
 2. Improve signage to show delineation between boat beaching and swimming areas.
 3. Remove rock and debris to improve area for swimming.
-

Item 2 from Meeting held 11/2/04

Continuation of Daily News Column

Tweed River Committee

T Alletson has liaised with the Civic Liaison Officer and advises that advertising/insertion of pictures in the Tweed Link would be accepted.

Item 4 from Meeting held 12/5/04

Estuarine Birds – Habitat Management Restoration and Creation Strategy

Estuary Management

T Alletson advised the Committee of the ongoing difficulties in controlling unlawful vehicle access to the Fingal wetlands and stated that an integrated strategy involving all agencies and the Tweed Byron Aboriginal Land Council will be required to address this.

Cr James asked Committee members to report back to T Alletson on their thoughts on what can be done to keep vehicles from accessing/damaging this area.

Item 4 from Meeting held 11/2/04

Camphor Laurel Toxicity Research Proposal

Tweed River Committee

Cr Beck noted importance of investigating Camphor Laurel toxicity. Cr Beck noted that she had been approached by Mr Joe Friend who presented a range of concerns about the toxic effects of these plants.

Cr James expressed his reservations regarding the scientific validity of some of Mr Friends claims, and noted that the committee had considered the issue previously. It was decided that Cr Beck would liaise with Mr Friend on the issue.

AGENDA ITEMS:

1. Funding of Duranbah Beach Nourishment

Duranbah Beach - Sand Bypass

The management of Duranbah Beach due to erosion linked to the Tweed River Entrance Sand Bypassing Project requires ongoing funding. It has been suggested that because the TRESBP provides benefit to the Tweed Estuary, TRC funding could be used to part fund managing Duranbah.

T Alletson noted that this issue has generally been discussed at Coastal Committee meetings, but that there was a need to discuss it at the Tweed River Committee as there has been a proposal that beach nourishment works at Duranbah Beach could be funded by TRC. There will be an ongoing cost of approximately \$30, 000 per year to use machinery to move sand onto the dune at Duranbah after it has been pumped onto the beach by TRESBP.

Richard Hagley was not agreeable to using Tweed River Committee's funds for these works and noted the TRESBP should fund these works as it is part of this operation. There was general agreement amongst the Committee on this point.

Tom Alletson advised that it was critical for dune/beach maintenance to be undertaken when the next TRESBP sand delivery goes ahead in August.

Moved: Cr James

Seconded: R Quirk

RESOLVED that the Committee does not support use of Tweed River Committee funds for works required as part of the dune/beach maintenance on Duranbah Beach.

2. Program Update

Tweed River Management Plan

An update of the allocation of funding received in the 2003/2004 financial year, and the total range of projects being undertaken and considered under the Tweed River Management Program was presented.

A copy of the Revised Program 2004 was distributed for comment.

Cr Boyd suggested that the uncommitted funds for Education could be used for monitoring the Cobaki Broadwater habitats impacted by C4 Highway and Airport extension.

Cr James suggested that Cr Boyd liaise with the executive and report back to the next Committee meeting on specific monitoring proposals.

Cr Boyd suggested investigation of options to resolve the ASS problems at Wardrop Valley. Robert Quirk noted that there is a high possibility of rehabilitation of this land.

R Quirk suggested we request a report from Wetland Care Australia on the Fish Unlimited Project for the next meeting.

Cr Beck received a submission from Tumbulgum Community Association Inc. called the Tumbulgum Riverfront Management Plan.

Cr James asked the Committee to consider new projects and report back to Jane Lofthouse or Tom Alletson.

3. Bilambil Sports Reserve Creek Bank Rehabilitation and Management Plan Bilambil Equestrian Ground

Ongoing consultation with the community and members of the Bilambil Pony Club has allowed for the finalisation of a plan of restoration and management for this area. The plan and options for its implementation were presented at the meeting. Tom Alletson advised that an allocation of \$30, 000 for the project had been identified in the works program, and that the Committee was requested to endorse this allocation

Moved: R Quirk

Seconded: Cr James

RESOLVED that \$30, 000 be made available for the Bilambil Creek Project from Wetland enhancement allocation.

4. **WADAMP Projects**

Waterways Program

Waterways Asset Development and Management Program. Current projects being undertaken through this Program are upgrades of the Dry Dock Road and Chinderah Boat Ramps.

Applications are due in July for next year's Program. Three (3) projects will be applied for this year - Lakes Drive Boat Ramp Upgrade and Jetty, the Tumbulgum Heritage Wharf and Pontoons and for the Terranora Inlet Jetties.

5. **EIS for Banora Point STP and Tweed Heads West STP Effluent Disposal Sewerage Treatment - Tweed Heads - Sewerage Treatment Banora Point**

Deferred to the next Committee meeting.

6. **Tweed River Boating Plan of Management (Draft)**

Master Boating Plan

Kevin Riddell and Jim Green from the NSW Waterways Authority presented an update on the preparation of this management plan.

Jim Green advised that the Draft Plan was currently being reviewed by the Minister, and would hopefully be on exhibition by the end of the month.

CORRESPONDENCE IN:

1. **Gold Coast Airport Runway Extension Project - Draft Major Development Plan Tweed River Committee - Airport Runway Extension**

Gold Coast Airport – Acknowledgement of Submission on Runway Extension
This letter thanks the Committee for its participation in the community consultation process and describes the next steps to be undertaken in the airport runway extension assessment process.

Gold Coast Airport Limited (GCAL) will be collating all submissions for consideration by the Federal Minister for Transport and Regional Services, additionally, GCAL will be providing a response to Tweed Shire Council's Tweed River Committee's comments prior to or simultaneously with the submission of the final draft MDP to the Minister

Tom Alletson to review relevant sections of the GCAL Draft Environment Airport Strategy and liaise with relevant Units of Council to ensure appropriate combined response and report back to this Committee.

Moved: Cr Boyd

Seconded: Cr James

RESOLVED that the Committee review the relevant sections of the GCAL Draft Environment Airport Strategy and make a recommendation to Council.

2. Estuarine & Coastal Sciences Association & Estuarine Research Federation International Conference

Conferences/Seminars - General

Southern Cross University are holding Estuarine & Coastal Sciences Association & Estuarine Research Federation International Conference on 21st & 22nd June 2004. For any further information on this Conference (registration forms etc) please see Tom Alletson or Jane Lofthouse.

3. 7th International Riversymposium - Brisbane 31 August - 3 September 2004

Conferences/Seminars - General

The 7th International Riversymposium will be held 31st August to 3 September 2004 in Brisbane.

Cr James advised any Committee members interested in attending should contact Jane Lofthouse for further details.

GENERAL BUSINESS:

Nil.

NEXT MEETING:

The next meeting of the Committee is to be held on 11 August 2004 at the Canvas & Kettle Meeting Room commencing at 9.30 am.

The meeting closed at 12.40pm.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

Item 1 from Meeting held 12/5/04

1. Committee Representation

Tweed River Committee

As per Committee's recommendation.

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3 [TCC] Minutes of the Tweed Coastal Committee Meeting held Wednesday 9 June 2004

FOR THE CONSIDERATION OF COUNCIL:

VENUE:

Canvas and Kettle Restaurant, Murwillumbah

TIME:

Commencing at 1.00pm.

PRESENT:

Cr Henry James (Chair), Cr Max Boyd, Cr Lynne Beck, Terry Kane (Cabarita Beach-Bogangar), Peter Harding (Pottsville) Rhonda James (Caldera Environment Centre), Richard Hagley (Department of Planning, Infrastructure and Natural Resources), Jason Pearson (Kingscliff), Jane Lofthouse, Tom Alletson, (Tweed Shire Council)

INFORMAL:

Sandra Zietlow (Minutes Secretary)

APOLOGIES:

Mayor Warren Polglase; David Oxenham; Stewart Brawley (Tweed Shire Council) Gary Thorpe (Hastings Point), John Harbison (Mooball), Lance Tarvey (NSW National Parks and Wildlife Service), Neville Newell (Member for Tweed); Justine Elliott (Fingal Head)

MINUTES OF PREVIOUS MEETING:

Moved: Peter Harding

Seconded: Cr Boyd

RESOLVED that the Minutes of the Tweed Coastal Committee Meeting held Wednesday 12 May 2004 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings with the amendment from G Thorpe, Item 11, last sentence to read "The project is also to include removal of tidal obstructions."

BUSINESS ARISING:**Item 6 from Meeting held 12/05/04****6. Committee Representation****Tweed Coastal Committee**

Following is a table of the attendance of Committee members for the last 12 months. The Committee reviewed its membership late 2003, therefore it is considered that a further review is not warranted at this stage. All members will be issued with a letter requesting confirmation of their commitment to the Committee and attendance at meetings.

Tweed Coastal Committee attendance April '03 to May '04.

Cr H James	Councillor	7/7
Cr M Boyd	Councillor	6/7
R James	Environment	5/7
R Hagley	DIPNR	7/7
T Rabbidge	DIPNR	1/7
T Kane	Cabarita Beach - Bogangar	7/7
G Thorpe	Hastings Point	5/7
J Harbison	Mooball	6/7
P Harding	Pottsville Beach	4/4
J Pearson	Kingscliff	2/4
J Elliott	Fingal Head	5/7
N Newell	State Member	0/7
L Tarvey	NPWS	3/7
S Brawley	TSC	3/7
T Alletson	TSC	7/7
D Oxenham	TSC	5/7
J Lofthouse	TSC	6/7

Jane Lofthouse to write to the Regional Managers of Department of Lands, Department of Infrastructure Planning & Natural Resources and Department of Environment and Conservation requesting confirmation of departmental representation on this Committee.

Cr James suggested we write to NSW Fisheries noting their attendance is encouraged for items of relevance to that Department.

CORRESPONDENCE IN:**1. Monitoring of Seagrass Health in Cudgen Creek in the Vicinity of the 'Salt' Development - Progress Report from Aspect North****DW1044808**

A progress report was received from Aspect North "for you information" in reference to the Monitoring of Seagrass Health in Cudgen Creek around the SALT Development site.

AGENDA ITEMS:

1. Draft Tweed Coastline Management Plan

Coastline Management Plan

A copy of the *Draft Tweed Shire Coastline Management Plan* was distributed to the Committee. This version has had relevant changes and comments included as per submissions by members of this Committee and the current copy supersedes the preliminary draft handed out at the last meeting.

Terry Kane queried the process for deciding whether issues raised in submissions will be included in the final Plan or not. Submissions will be collated by staff and recommendations presented to the Committee for consideration.

Richard Hagley noted that the document, when adopted by Council, becomes Council policy and upon adoption by the Minister is recognised under the *Coastal Protection Act, 1979*.

T Kane expressed his concerns about the possible closure of the current beach access from Pandanus Parade due to a proposed development next to the Beach development.

Agreed to add a statement on this issue onto the Draft Plan prior to exhibition.

Cr Boyd noted that there is nothing mentioned in Draft plan as to what action this Committee is taking to support gazettal of the rock platform at Hastings Point as an Intertidal Protected Area. Agreed to amend Table 3.11 on Page 3.36 of the Draft Plan.

Moved: Cr Beck

Seconded: Rhonda James

RESOLVED that the Committee recommends to Council the Draft Tweed Coastline Management Plan be placed on public exhibition with following 2 amendments for a period of 8 weeks.

“Addendum to Draft Tweed Shire Coastline Management Plan

**Section 3.1.5 Bogangar – Cabarita Beach Area
p3.24; Paragraph 2.**

The Improvement Plan for Norries Head (Figure 3.5) adopted by TSC in 2000, is possibly the most critical to solving the congested foreshore area at the end of Pandanus Parade, the lack of car parking in the area, and controlling unsafe access to Cove and Little Beaches. The impact on public car parking and access for surf club events needs to be considered for any future development between Palm Avenue and Pandanus Parade.

Table 3.11 – Hastings Point Area Management Actions

Action No.	Action	Priority	Responsibilities	Completion Timeframe	Indicative Capital Cost	Maintenance Cost (pa)	Performance Measures
To protect, rehabilitate and improve the natural environment							
HP3a	Progress protection of the Hastings Point rock platform as an Intertidal Protected Area under the Fisheries Management Act, 1994	High	NSW Fisheries	Medium	N/A	N/A	Hastings Point rock platform is declared an Intertidal Protected Area."

RECOMMENDATION:

That Council place the Draft Tweed Coastline Management Plan (with 2 amendments) on Public Exhibition for a period of 8 weeks.

2. Draft Tweed Coast Estuaries Management Plan – May 2004

Estuary Management

The Draft Tweed Coast Estuaries Management Plan (May 2004) has been placed on Public Exhibition from Monday 7 June to Monday 19 July 2004 (submissions received until Friday 23 July). Committee members were sent copies of the Draft Plan with the Agenda for the May meeting. A workshop was conducted with Council on 26 May 2004. Please order more copies from Jane Lofthouse if you wish to distribute the Draft Plan to particular interest groups.

3. Cudgen Creek Spur Wall

Cudgen Creek

Jane Lofthouse advised that the Spur Wall has now been removed and monitoring of cross-sections is being continued.

4. Coastline Vegetation Management Update

Vegetation Management

Rhonda James presented information on vegetation management projects and documents she has worked on, or is aware of, for the Tweed Coast:-

Area / Projects	Documents
Tweed Coast	Bitou Bush Strategy 2002
	SEPP 26 Management Plan
	Draft Tweed Coastal Reserves PoM
Fingal Head DuneCare Group	Vegetation Management Plan
Fingal Peninsula - TBLALC	Fingal – TBLALC PLANS
Fingal Wetlands - TRC	Fingal Wetlands Restoration DA
Kingscliff Beachfront - Council	
Cudgen Headland / Lot 490 - Council	concept plans only
Lot 500 - SALT/Casuarina	SALT/Casuarina Lot 500 Management Plans and monitoring
SALT estuary	Riparian rehabilitation plan
Cudgen Nature Reserve - DEC	Weed Management Plan
Bogangar/Cabarita Beach DuneCare	Vegetation Management Plan
Hastings Point DuneCare	Vegetation Management Plan
Hastings Point to Pottsville	Vegetation Management Plan
Koala Beach	Overall Plan for Restoration Works – Koala Beach (Ray Group)
Pottsville Beach	Vegetation Management Plan
Pottsville wetlands	
Black Rocks to Wooyung – WFD projects	
Wooyung & Billinudgel Nature Reserves – DEC	Weed Management Plans

Moved: Cr Boyd

Seconded: Terry Kane

RESOLVED that we invite Rhonda James to provide us with a proposal to prepare a comprehensive report listing vegetation management plans and on-ground works undertaken to date in the Tweed coastal zone.

GENERAL BUSINESS:

1. Report on Canoe Trail Signs

Cudgen Creek, Cudgera Creek, Mooball Creek

Tom Alletson has received the final report for the Canoe Trail. T Alletson advised the Committee that current funding of the project does not include the full cost for production of signs or installation. Signs can be manufactured by Gary Hall, Council's sign writer.

Cr James suggested we approach Richard Adams (Manager Business Undertakings), Tweed Shire Council and other holiday businesses to seek funding for production of colour brochures using the information in the canoe trail report.

2. Rock Platform Hastings Point

Parks – Hastings Point Headland

Cr Boyd requested a copy of Ted Brambleby and Kerrie Trees written submission for gazettal of the Hastings Point rock platform as an Intertidal Protected Area be supplied to the next meeting.

**3. Boat Ramp – Cudgen Creek Volunteer Coastguard Boat Launching
Cudgen Creek, Estuary Management**

Council has been approached by the Volunteer Coastguard Kingscliff to provide a boat ramp at their boat storage shed in Rotary Park to Cudgen Creek. It was suggested by EMT that this Committee consider it in the context of the Estuary Management Plan.

Cr Boyd requested that a report be brought forward to the next meeting with the potential cost of a ramp before any decision is made by this Committee.

5. Camp Wollumbin

Cudgen Nature Reserve

Terry Kane enquired as to the status of Camp Wollumbin in the Cudgen Nature Reserve.

The caretaker is currently being retained by the NPWS but the camp is closed.

6. Road Kill – Camp Wollumbin and Casuarina

Cudgen Nature Reserve

Terry Kane expressed his concerns at the amount of wallabies being killed on the Coast Road between Camp Wollumbin & Casuarina.

Suggested that Terry Kane draft a letter National Parks & Wildlife Services advising them of this.

NEXT MEETING:

The next meeting of the Tweed Coastal Committee will be held 11 August 2004 in the Canvas & Kettle Meeting Room commencing at 1.00pm.

The meeting closed at 3.20pm

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

1. Draft Tweed Coastline Management Plan

Coastline Management Plan

As per the Committees Recommendation.

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4 [SAC] Minutes of the Sports Advisory Committee Meeting held Wednesday 16 June 2004

FOR THE CONSIDERATION OF COUNCIL:

VENUE:

Tweed Heads Civic Centre

TIME:

5.00pm

PRESENT:

Committee Members: Cr Warren Polglase, Cr Max Boyd, Cr Bernie Bell, Cr Steve Dale, Stewart Brawley, Merve Edwards, Ray Jarrett, Peter Moschogianis, Linda Threlfo, Dr Barry Rigby, Cherie Aston, Rod Neinhuis, Allana Brims.

Informal: Mrs Blyth Short (Recorder)

APOLOGIES:

Nil

CONFIRMATION OF MINUTES:

Moved: Merve Edwards

Seconded: Linda Threlfo

RESOLVED that the Minutes of Sports Advisory Meeting held 17 February 2004 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

Item from Meeting held 17 February 2004

1. South Tweed Sports Field

Facilities have been completed however there has been a few set backs with getting power connected and vandalism of glass windows.

The facility is up and running. Glass windows are gradually being replaced with perspex.

Item from Meeting held 17 February 2004

CORRESPONDENCE:

1. Tweed Coast Raiders Junior Rugby League (TCRJRL)

TCRJRL advised that last year Rugby Union used the Les Burger fields on a Friday night in addition to the current usage of Junior League and Touch Football. They noted that the turf is suffering from overuse and litter was left after Union on Friday evenings. The TCRJRL requested that the Union not use the fields for the Winter 2004 season. General discussion.

S Brawley advised that Casuarina Rugby Union (CRU) had been contacted and would discuss issues of shared use with TCRJRL. The shared use of the field is not considered excessive.

S Brawley advised that the representees TCRJRL, CRU, Tweed Coast Touch Football and Mick Morgan the Cabarita Beach Sports Facility Caretaker recently met to discuss various issues. Agreements were reached.

CORRESPONDENCE:

1. In – ‘Play It Safe’ Autumn 2004 brochure – Nominations open for 2004 Sports Safety Awards, financial awards available. Information will be made available in the Sports News bulletin.
2. In – Murwillumbah Saints Soccer Club thank Council for their financial contribution towards their hot water system.
3. Out – General letter to all clubs advising them that prior to any future electrical or plumbing works they are considering undertaking on Council buildings they need to advise Council.
4. In – Standards Australia have produced a handbook for portable soccer goalposts – manufacture, use and storage.

GENERAL BUSINESS:

1. Meeting Venues

General discussion on meeting venues, times and frequency.

Moved: Cr Boyd
Seconded: P Moschogianis

RESOLVED that the Sports Advisory Committee meet bi-monthly, commencing 5pm and alternating between Tweed Heads, Murwillumbah and Cabarita Beach Sports Centre.

2. Strategies of Committee

S Brawley explained the current role of the committee.

1. Develop and implement policies, programs and practices aimed at improving access and equity in all aspect of Sport on the Tweed.
2. Maximise the availability of resources for the development of sport and promote safety in their use.
3. Increase participation in sport and sports by the residents of Tweed.

The committee is not a maintenance committee.

Management of the Assets Reserve Trust Fund explained.

3. Tour of Sporting Facilities

Cr Boyd suggested that the committee tour all of the sporting facilities to ensure all new members are familiar with what sporting facilities Council provide. General discussion. S Brawley to prepare options available eg Power point presentation/bus tour.

4. Burringbar Public Recreation Reserve Trust (BPRRT)

Tom O'Connor Reserve

S Brawley informed the committee that the BPRRT has been fundraising for 18months towards the installation of lights at Tom O'Connor Reserve (crown land managed by a community trust). Total costs of the project is \$150,000 to date. They have raised funds through community fundraisers and various grant applications. Council has contributed \$10,000. However, they are short by \$10,000 to complete the project. General discussion.

Moved: Cr Boyd
Seconded: A Brims
Motion was unanimous.

RECOMMENDATION:

That Council contributes \$10,000 through the Assets Reserve Trust Fund towards the completion of field lights at the Tom O'Connor Field, Burringbar.

Moved: M Edwards
Seconded: A Brims
Motion was unanimous.

RESOLVED that the Sports Advisory Committee writes to BPRRT to congratulate them on their project efforts towards the lighting at the Tom O'Connor Field.

5. Maintenance Issues

M Edwards raised maintenance issues at Walter Peate Fields and Merve Edwards Field.

6. Bilambil Regional Tennis Centre (BRTC)

R Neinhuis - Regional Country Director for Tennis NSW advised committee of BRTC progress. Land had been identified within the Bilambil Sports Complex. It is envisaged that the development of the tennis facility will cater for the current demands for junior tennis in the Far North Coast NSW region. All schools within the Shire are looking forward to utilising the tennis facilities. The projected is estimated at \$1.3 million. The tennis courts will consist of 4 clay like and 8 rebound ace hard courts. Fundraising will commence in September with the Guinness Book of Records attempt with Channel 9 coverage followed by a Tennis Spectacular fundraising auction to be held at Tweed Heads Bowls Club.

7. Sponsorship Signage

R Jarrett requested Council relax their policy on Sponsorship signage on Council Sports Grounds. He explained that it is very difficult for sporting organisations to raise funds. S Brawley advised that the signage policy is in line with State Government legislation on signage.

P Moschogianis advised that at Piggabeen Sports Complex canvas temporary sponsorship signage is erected on game days.

8. Hockey

A Brims noted that hockey test match between India vs Australia was successful.

9. Walter Peate Sports Fields

M Edwards thanked Council for their efforts in negotiating with the users of the Walter Peate Fields to relieve the crowding issues at Reg Dalton Oval.

10. Tweed Coast Sports Fields

S Brawley advised that construction of the Seabreeze Sports Fields has settled whilst the Developers await further top-soil. Negotiations are continuing as to who will construct the building facility.

Koala Beach sports fields are in the approval process and land has been identified for a tennis facility.

11. Community Land Hastings Point

Cr Boyd raised his concerns again regarding securing the crown land on the southern side of the Hastings Point Caltex Petrol Station for future sports fields. Cr Boyd suggested the area should be slashed regularly to ensure it remains available for future sports fields.

Moved: Cr Boyd

Second: M Edwards

RESOLVED that Council investigate the practicality of clearing this area.

NEXT MEETING:

The next meeting of the Sports Advisory Committee will be held 17 August 2004 at the Murwillumbah Buchanan Street Depot.

The meeting closed at 6.05pm

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

As per the Committee's recommendations.

5 [LTC] Minutes of the Local Traffic Committee Meeting held Thursday 17 June 2004

FOR THE CONSIDERATION OF COUNCIL:

VENUE:

Peter Border Room

TIME:

Commencing at 9.00am.

PRESENT:

Committee Members: Mike Baldwin, Roads and Traffic Authority; Snr Constable Steve Henderson, NSW Police; Mr Neville Newell, MP, Member for Tweed,

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

APOLOGIES:

Mr Don Page MP, Member for Ballina; Cr John Murray; Tweed Shire Council.

MINUTES OF PREVIOUS MEETING:

RESOLVED that the Minutes of the Local Traffic Committee Meeting held Thursday 20 May 2004 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

SCHEDULE OF OUTSTANDING LOCAL TRAFFIC COMMITTEE ITEMS

Schedule of Outstanding Local Traffic Committee Items

FOR COUNCILLORS INFORMATION:

20 May 2004

1. Leisure Drive, Banora Point

R3035 Pt3; R2131 Pt2; DW1016762; Pedestrian Crossings; Speed Zones

The Committee noted that RTA requirements in terms of pedestrian volumes would not be met at the location. However the Committee recommended that the situation be monitored after the proposed roadworks are completed and any issues reported back to the Local Traffic Committee. It was also noted that this section of Leisure Drive is a 50kph zone and cannot be lowered any further.

RECOMMENDATION:

That the Applicant be advised that this location does not meet RTA requirements for a pedestrian crossing.

Current Status: Monitoring of Leisure Drive after proposed roadworks. Any issues to be reported to the LTC.

2. Frances Street, Tweed Heads

R2131 Pt2; DW1019863; Traffic - Parking Zones

The Committee suggested the Road Safety Officer should contact the Parish Manager to discuss the issue on site and the difficulties that would occur with signage and other options that are available which may meet the Parish objectives. The matter should then be reviewed for 6 months and if the problem is not resolved the issue be referred back to the Local Traffic Committee.

For Council's information.

Current Status: To be brought forward to the LTC for meeting on 18 November 2004.

11. Queen Street, Murwillumbah

R4500; DW1034590; Car Parks - Murwillumbah; Parking Zones

The committee discussed the issues raised above and did not support the reserving of spaces for vet staff on public land even though a long term agreement with doctors allows such. The conversion of a 'No Parking' zone in Queen Street to a loading zone was considered appropriate as it provides up to 15 minutes for a station wagon or commercial vehicle to park to load or unload and half an hour for trucks. The Committee considered that this matter should be reconsidered in 12 months time or earlier if major changes to the car parking in the vicinity being planned are implemented. The issue of hotel patrons blocking access to the rear of the vets on site car parking is a private matter between the adjoining land holders and should be resolved between themselves.

RECOMMENDATION:

That the 'No Parking' zone adjacent to the old BGF building in Queen Street be converted to a loading zone.

Current Status: To be brought forward to the LTC for meeting in May 2005.

1. Trigonie Drive, Tweed Heads South
R2183 Pt1; R5006 Pt1; DW980917; Traffic - Parking Zones

Resident representatives from the Shallow Bay Cove development would like the Committee to review its assessment of Trigonie Drive's need for prohibitive signage and met with the Road Safety Officer on site. Trigonie Drive has been inspected on several occasions including evenings and no problems were observed. The situation of vehicles parking at T-intersections is not unusual and drivers need to drive at appropriate speeds and carefully check before making turns.

The Committee noted the concerns of the residents and reiterated the previous decision.

RECOMMENDATION:

That:-

1. Council Rangers be requested to patrol Trigonie Drive to enforce any breaches of parking regulations.
2. This matter be brought forward to the Local Traffic Committee meeting of August 2004 with a report from the Rangers Coordinator as to any parking issues observed.

Current Status: To be brought forward to the LTC for meeting in August 2004 with a report from the Rangers Coordinator as to any parking issues observed.

BUSINESS ARISING:

From Meeting 20/5/2004:

8. Coronation Avenue, Pottsville
R1360 Pt1; Traffic - Committee; Zones - Speed

Late agenda item. Request received for the possibility of checking speeds on Coronation Avenue, Pottsville near the western edge of the village.

Deferred to the next meeting to enable speed data to be collected.

For Council's information.

The Road Safety Officer advised that speed counts have been performed readings being, eastbound 85th percentile was 58.7kph and westbound 85th percentile was 61.6kph. It was noted that these speeds exceed the 50kph speed limit on the subject section of road.

The data from the speed surveys was provided to the Police Representative for action as deemed necessary.

For Council's information.

This item was discussed at the Council meeting of 2 June 2004 and the following resolution made:-

"RESOLVED that a further report be prepared to distinguish between the speed of trucks and cars at Coronation Avenue, Pottsville."

The Road Safety Officer advised that heavy vehicles represent 5% of the total traffic at 171 vehicles per day. 67% of all traffic exceeds the 50kph speed limit. 61% of heavy vehicles are exceeding the speed limit. The Police Representative also indicated that Coronation Avenue is already a speed complaint area and is listed for Police tasking. The Committee noted that average daily traffic is 3,421 vehicles and in 2003 it was 2,773 and in 2002 it was 2,132. The motorway was opened in September 2002 which when combined with Seabreeze Estate has led to the increase in traffic volume over the 2 year period.

For Council's information.

GENERAL BUSINESS:

PART A

1. Ash Drive, Banora Point R0227; DW1042655; DW1045135; DW1045137; Local Area Traffic Management

Request received for the removal of chicanes on the eastern end of Ash Drive, Banora Point.

The Committee considered that the devices comply with relevant standards and are a benefit to the community as highlighted by the number of complaints regarding speed in streets around Banora Point that do not have such devices installed. It was noted that there has been no crash history for the site. The unnecessary removal of the devices would likely lead to an increase of speed on Ash Drive which is not considered desirable.

For Council's information.

2. Enid Street, Tweed Heads

R1910 Pt2; R2131 Pt2; DW1046628; 1046639; 10; Traffic - School Zones

Request received for 'No Parking' signage to be installed on Enid Street from 8:00am to 9:00am and Frances Street from 2:30pm to 3:30pm for the use by parents to pick up and drop off children at the School. The Committee discussed the request and the need for the zones above to alternate between 'Bus Zones' and 'No Parking' zones and agreed to support the request.

RECOMMENDATION:

That 'No Parking' signage to be installed on Enid Street from 8:00am to 9:00am and Frances Street from 2:30pm to 3:30pm.

3. Eucalyptus Drive, Banora Point (Centaur Primary School)

**R1917 Pt1; DW1044847; 1045165; Traffic - Safety;
Bus Services - Routes; Traffic - School Zones**

Request received for Local Traffic Committee advice in relation to Centaur School's concerns with school bus runs 103, 101 and 109 where Banora Point High School students, along with Centaur Primary School students are dropped off in the Centaur Primary School bus areas. High School students then have to cross Eucalyptus Drive.

It is suggested by Centaur Primary that Surfside Buslines utilise both bus bay areas of the two schools to allow students to be dropped directly at the gate of the respective schools to minimise safety concerns.

The Committee noted that excellent bus and crossing facilities are available at the Primary and High Schools which partly consists of a zebra crossing on a raised platform with pedestrian fencing to direct all students to the marked crossing which is considered to provide a safe environment for students to cross between the two schools. It is also noted that extensive bus bays exist on the frontages of both schools however it is considered a matter for the Dept of Education to resolve with the bus operator through the Department of Transport as to how these zones are utilised. The Committee also noted that the high school start and finish time is required to be staggered by 20 minutes as per the development consent.

For Council's information.

4. Crescent Street, Cudgen

**R1435 Pt3; DW1044184; Traffic - Speed Zones; Traffic - Safety;
Local Area Traffic Management**

Request received for Local Traffic Committee advice in relation to:-

1. Traffic using Crescent Street as a short cut.
2. Speeding traffic using Crescent Street Cudgen possibly to avoid the traffic lights.
3. Difficulties entering and exiting driveways especially No. 21 Crescent Street.
4. The need for buses to use Crescent Street. It is suggested that the bus services should use the bypass road to Cudgen Road and then turn right to connect with the bus stop at the T intersection to utilise the only official bus stop in Crescent Street. It is reported that there are a lot of school buses using Crescent Street.

Traffic counts have been performed showing the average daily traffic as 485 vehicles per day in 2004 and 421 vehicles in 1998. The 85th percentile speed is 51kph, which reflects the 50kph speed zone. It is noted that Crescent Street is a through road and many years ago Council proposed to close it at the north eastern end however this was rejected by the local community. The data above shows that Crescent Street has a very low volume of traffic which is generally complying with the speed limit. It is noted that some driveways do not have adequate sight distance however all of these driveways have been constructed without Council approval and Council policy states that it is the responsibility of the property owner to provide safe access to their property. In some similar instances property owners have paid for the installation of convex mirrors to enable them to observe approaching traffic. The Committee also notes that there are many streets throughout the Tweed Shire which do not have off street footpaths as funding is limited and is allocated to roads where much higher volumes of traffic exist. It should be noted that buses are not under the control of Council but as Crescent Street is a public road they are entitled to use it in a responsible manner.

Therefore no action is recommended.

For Council's information.

5. Parkside Drive, Tweed Heads South

**R4144 Pt1; R1915 Pt1; DW1048709; Traffic - Directional Signs;
Traffic - Speed zones**

Request received for the installation of a 'Stop' or 'Give Way' sign at the intersection of Parkside Drive and Enterprise Avenue, Tweed Heads South.

It is reported that the delivery staff of Australia Post, who operate from 18 Enterprise Avenue are concerned with the speed of vehicles leaving Parkside Drive.

The Committee noted that Give Way or Stop signs installed in areas where traffic volumes are low there is a propensity for drivers to disobey such signs. The intersection in its present configuration is covered by Australian Road Rules in relation to terminating streets. The Road Rules require drivers exiting properties to give way to traffic on a public road. The Committee encourages Australia Post staff to exit their property only when it is safe to do so.

For Council's information.

6. Wardrop Lane, South Murwillumbah

DW1049525; R5798; Traffic - Parking Zones

Request received for the extension of the 'No Parking' zone in Wardrop Lane to allow access to the driveway at River Street, South Murwillumbah. The Committee noted that a "No Parking" zone exists 10 metres to the south and to cover the above driveway this sign would need to be moved 10 metres north to the side boundary of the school.

RECOMMENDATION:

That the 'No Parking' sign currently in Wardrop Lane adjacent to the School be moved north to the side boundary of the School.

7. Letitia Road, Letitia Spit

R3040 Pt2; DW1048282; Traffic - Speed Zones

The issue of speeding traffic on Letitia Road, Letitia Spit has been referred to the Local Traffic Committee from the Council meeting held on 2 June 2004.

The Committee noted the request but deferred it to the meeting in July 2004 to enable traffic counts to be undertaken.

For Council's information.

8. Banksia Avenue and Hastings Road, Bogangar

**R0360 Pt1; R2380 Pt1; DW1050535;
Traffic - Local Area Traffic Management; Traffic - Safety**

Late agenda item. Request received for Local Traffic Committee advice in relation to the intersection at the corner of Banksia Avenue and Hastings Road, Bogangar. It is reported that there have been numerous accidents and the corner and it is suggested that the installation of a roundabout could be a solution.

The Road Safety Officer advised that there has been one reported crash at the intersection since 1998. The Committee noted that sight distance at the intersection is adequate for the 50kph speed zone and Hastings Road is clearly signposted with 'Stop' signs. The Committee also noted that Council does have a design plan to construct a roundabout at the intersection however to date this project has not been funded in Council's Works Program and until such time as it is, the existing stop sign controls are considered adequate.

For Council's information.

9. Delivery Vehicle Parking in Murwillumbah

**Traffic - Loading Zones; Parking Zones; DW1053553;
R3640 Pt4; R4455 Pt1**

Request received in relation to the difficulty of parking for delivery vehicles in Murwillumbah with lack of suitable loading zones or adequate space for larger trucks and vans. It is reported that the small number of legal 'Loading' zones and their locations make the parking in one spot and carrying of multiple packages to the various businesses an unreasonable alternative, as usually cartons and large boxes, weighing up to 50kgs are involved and there would be many trucks competing for the same space.

The Committee noted the concerns raised by the complainant however it is unreasonable to expect 'Loading' zones to be provided in the immediate proximity of every business in Murwillumbah as this would clearly be unacceptable. The Committee also noted that Proudfoots Lane is able to be used by service vehicles for businesses on the northern side of Wollumbin Street and the southern side of Main Street as they all have rear access to the laneway which should be utilised for deliveries. The Committee noted that there are 2 'No Parking' zones on the northern side of Main Street, one at Brisbane Street and one at the Commercial Road end which could both be converted to loading zones. The Committee noted that a loading zone already exists at the intersection of Queen Street and Main Street. Two 'Loading' zones also exist in Proudfoots Lane behind the Retravisio store and the Mitre 10 store and an additional 'Loading' zone can be provided adjacent to the Aussie Hotel at the Commercial Road end of the lane. These zones would adequately service the CBD area without adversely impacting on car parking. Alternatively, the delivery of goods could be arranged for early in the morning before car parking becomes an issue.

RECOMMENDATION:

That:-

1. The 'No Parking' zones on the northern side of Main Street be replaced with 'Loading' Zones which would apply between the following hours 8.30am - 6.00pm Monday to Friday, 8.30am - 12.30pm Saturday.

2. The No Parking zone in Proudfoots Lane adjacent to the Aussie Hotel be converted to a 'Loading' zone.
-

10. Old Ferry Road

R3861 Pt1; Traffic - Safety

The Committee recommends that the request for the guard rail on the eastern side of Old Ferry Road be assessed under the RTA guidelines for the provision of guard rails and that the conditions of consent for the adjoining subdivision be checked to ascertain if the developer has any responsibility in this regard.

For Council's information.

RECOMMENDATION:

That the matter be referred to Council's maintenance engineer to assess the request under the "RTA Guidelines for Guardrails".

PART B

Nil.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 15 July 2004 in the Peter Border Room commencing at 9.00am.

The meeting closed at 11.07am.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

2. Enid Street, Tweed Heads

R1910 Pt2; R2131 Pt2; DW1046628; 1046639; 10; Traffic - School Zones

As per Committee's recommendation.

6. Wardrop Lane, South Murwillumbah

DW1049525; R5798; Traffic - Parking Zones

As per Committee's recommendation.

9. Delivery Vehicle Parking in Murwillumbah

**Traffic - Loading Zones; Parking Zones; DW1053553;
R3640 Pt4; R4455 Pt1**

As per Committee's recommendation.

10. Old Ferry Road

R3861 Pt1; Traffic - Safety

As per Committee's recommendation.

6 Minutes Circulated with this Agenda not Requiring Council Resolution

FOR THE CONSIDERATION OF COUNCIL:

UNDER SEPARATE COVER:

1. Minutes of the Tweed Shire Council Occupational Health & Safety Committee Meeting held Thursday 10 June 2004.
 2. Minutes of the Tweed Shire Council Consultative Committee Meeting held Thursday 17 June 2004.
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ORDERS OF THE DAY

1 [NOM] Minjungbal Drive

NOTICE OF MOTION:

Councillor G J Lawrie moves:

That Council requests the Local Traffic Committee to investigate the extending of the dedicated southbound right-turn lanes in Minjungbal Drive (and thereby narrowing the median strips north of the intersections) at Dry Dock Road and Machinery Drive, South Tweed Heads.

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CONFIDENTIAL MATTERS

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM DIRECTOR PLANNING & ENVIRONMENT IN COMMITTEE

- 1 [DS] Development Consent DA02/1136 for a Mixed Commercial/Tourist Accommodation Development Including 8 Units (Nor Nor East) at Lot 2 DP 979921 and Lot 3 DP 964996, No. 32-34 Marine Parade, Kingscliff**

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors)
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege
-

- 2 [DS] Tree Preservation Order**

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(e) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (e) information that would, if disclosed, prejudice the maintenance of law
-

REPORTS FROM EXECUTIVE MANAGER - OFFICE OF THE GENERAL MANAGER IN COMMITTEE

3 [OGM] Renewal of Council's Insurance Portfolio for the period 1 July 2004 to 30 June 2005

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
-

REPORTS FROM DIRECTOR ENGINEERING AND OPERATIONS IN COMMITTEE

4 [ES] Contract EC2002-071 - Provision of In-House Consultancy Services for Various Investigations & Option Reports for Water & Sewerage

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
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5 [ES] EC2002-086 Manufacture, Supply and Delivery of 750mm & 960mm Pressure Pipe, Valves and Fittings for Bray Park WTP Clear Water Reservoir

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
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6 [ES] Contract EC2003-105 Design of Bridges and Supply of Precast Bridge Components for Two Bridges on Tweed Valley Way at Crabbes Creek

REASON FOR CONFIDENTIALITY:

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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