



AGENDA

ORDINARY COUNCIL MEETING Wednesday 16 November 2005

Chairman: Mr Garry Payne

**Administrators: Mr Garry Payne
Ms Lucy Turnbull
Mr Max Boyd**

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ITEMS FOR CONSIDERATION OF COUNCIL:

ITEM	PRECIS	PAGE
	ABORIGINAL STATEMENT	5
	CONFIRMATION OF MINUTES	5
	Minutes of the Council Meeting held 2 November 2005	5
	SCHEDULE OF OUTSTANDING RESOLUTIONS	7
	Schedule of Outstanding Resolutions	7
	ADMINISTRATOR'S MINUTE	11
	[AM] Signing of Documents	11
	RECOMMENDATIONS OF THE OPERATIONS COMMITTEE	13
	Recommendations of the Operations Committee Meeting held Wednesday 16 November 2005 for Council Adoption	13
	RECOMMENDATIONS OF THE PLANNING COMMITTEE	17
	Recommendations of the Planning Committee Meeting held on Wednesday 2 November 2005 for Council Adoption	17
	REPORTS THROUGH THE GENERAL MANAGER	21
	REPORTS FROM THE DIRECTOR PLANNING & DEVELOPMENT	21
1	[PD] Tweed Retail Strategy	23
	REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS	27
2	[EO] EC 2004-117 Supply of Manual Traffic Control Teams for Council Works	27
	REPORTS FROM THE DIRECTOR ENVIRONMENT & COMMUNITY SERVICES	29
3	[EC] Tender HC2005-186 Annual Agreement for Surf Life Saving Patrols	29

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ABORIGINAL STATEMENT

Administrator Payne acknowledged the Bundjalung Aboriginal Nation with the following statement:

"We wish to recognise the generations of the local Aboriginal people of the Bundjalung Nation who have lived in and derived their physical and spiritual needs from the forests, rivers, lakes and streams of this beautiful valley over many thousands of years as the traditional owners of these lands."

CONFIRMATION OF MINUTES

Minutes of the Council Meeting held 2 November 2005

UNDER SEPARATE COVER/FURTHER INFORMATION:

1. Minutes of the Council Meeting held Wednesday 2 November 2005. (DW 1292719).
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SCHEDULE OF OUTSTANDING RESOLUTIONS

Schedule of Outstanding Resolutions

FOR COUNCILLOR'S INFORMATION:

1 JUNE 2005

REPORTS FROM THE DIRECTOR ENGINEERING & OPERATIONS

26 [EO] Letitia Road - Access to Tweed River Sand Bypass System

417 COUNCIL DECISION:

Administrator Boyd
Administrator Turnbull

That staff organises a round table discussion with interested parties to discuss the stabilisation trial of the unsealed pavement of Letitia Road.

Current Status: The Aboriginal Advisory Committee is facilitating a Summit Meeting.

3 AUGUST 2005

QUESTION TIME

[QT] Woodlands and Darlington Drives, Banora Point

Administrator Boyd

Asked :

1. Would Council staff please investigate and report on the traffic problems of long standing associated with the roundabout at the intersection of Woodlands Drive and Darlington Drive?
2. Could the report also include an estimate of cost and possible source of revenue?

The Director Engineering and Operations advised that a report on these matters will be prepared.

Current Status: Report to be prepared

19 OCTOBER 2005

ADMINISTRATOR'S MINUTE

[AM] Kings Forest Draft Local Environmental Plan Amendment No 20

539 COUNCIL DECISION:

**Administrator Turnbull
Administrator Boyd**

RESOLVED that:-

1. Council notes that the development of a Local Environmental Plan for Kings Forest has been contentious and protracted.
2. Council notes that the project has been the subject of significant pressures from external agencies.
3. It is important the planning for Kings Forest proceed forthwith to ensure that orderly and responsible development of the area can proceed in a manner that is consistent with fulfilling the Tweed Shire Council's strategic objectives of developing a community that is environmentally, socially and economically sustainable.
4. The Kings Forest site is subject of much contention concerning ecological issues pertaining to the site. Council notes the Director Planning and Development has put in train a process by which to undertake an independent peer review of all ecological assessments of the Kings Forest site.
5. Council requests the Director Planning and Development to present a planning report on the Kings Forest Local Environmental Plan Amendment in February 2006 with recommendations as to the future zoning and management of the study area.

Current Status: Report to be prepared for February 2006.

2 NOVEMBER 2005

ORDERS OF THE DAY

[NOM] Review of Parkland Needs at Banora Point

560 COUNCIL DECISION:

**Administrator Boyd
Administrator Turnbull**

RESOLVED that Council staff be requested to review the parkland needs and plans prepared some time ago which proposed a number of improvements to the open space areas in the bounded by Clonakilty Close, Glen Ayr Drive and Darlington Drive, Banora Point.

Current Status: Report to be prepared.

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ADMINISTRATOR'S MINUTE

[AM] Signing of Documents

Documents signed by Administrators

Administrator Boyd

- | | |
|-----------------|--|
| 19 October 2005 | Transfer - Road closure and purchase - Old Lismore Road, Byangum |
| 20 October 2005 | Lease - Riverpoint - Lots 2, 4, 6 and 8 Chinderah Bay Drive |
| 25 October 2005 | Tenancy Agreement - State Rail Authority - Buchanan Street Depot
Parking Area
Release on Unnecessary Restrictions on use - Subdivision of land at
Casuarina |
| 27 October 2005 | Deed of Grant, Mortgage and Restriction on User - Cabarita Beach
Surf Life Saving Club |

RECOMMENDATION:

That the information be received and noted.

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RECOMMENDATIONS OF THE OPERATIONS COMMITTEE

Recommendations of the Operations Committee Meeting held Wednesday 16 November 2005 for Council Adoption

SUMMARY:

The recommendations from the Operations Committee Meeting held Wednesday 16 November 2005 are reproduced below for formal adoption by Council.

- 1 [GC] Quarterly Budget Review - 30 September 2005
- 2 [GC] Local Government Amendment Act 2005 - Councillor Numbers
- 3 [GC] Business Ethics Policy - Amendments
- 4 [GC] 2006 Winter Paralympic Games
- 5 [GC] 2004/2005 Annual Report
- 6 [GC] Corporate Quarterly Report - July to September 2005
- 7 [GC] Monthly Investment Report for Period Ending 31 October 2005
- 8 [EO] Land Acquisition for Road & Compensation Purposes - Palmvale Road, Reserve Creek
- 9 [EO] Licence Agreement over Crown Reserve 91717 for Agistment Purposes - Limpinwood
- 10 [EO] Lease to Chillingham & Tyalgum Community Pre-School Inc
- 11 [EC] Disposal of Waste Material - Ballina Shire
- 12 [EC] AAA Rated Showerhead and Compact Fluorescent Light Globe Give-A-Way
- 13 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 7 October 2005
- 14 [SUB-TCC] Minutes of the Tweed Coastal Committee Meeting held Wednesday 12 October 2005
- 15 [SUB-TDAC] Minutes of the Tweed Shire Council Disability Access Committee Meeting held 20 October 2005
- 16 [SUB-CHD] Minutes of the Clarrie Hall Dam Fishery Management Committee Meeting held Wednesday 26 October 2005

RECOMMENDATION:

That Council adopts the recommendations of the Operations Committee Meeting held on Wednesday 16 November 2005 reproduced as follows:-

- 1 [GC] Quarterly Budget Review - 30 September 2005
- 2 [GC] Local Government Amendment Act 2005 - Councillor Numbers
- 3 [GC] Business Ethics Policy - Amendments
- 4 [GC] 2006 Winter Paralympic Games
- 5 [GC] 2004/2005 Annual Report
- 6 [GC] Corporate Quarterly Report - July to September 2005
- 7 [GC] Monthly Investment Report for Period Ending 31 October 2005
- 8 [EO] Land Acquisition for Road & Compensation Purposes - Palmvale Road, Reserve Creek
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- 14 [SUB-TCC] Minutes of the Tweed Coastal Committee Meeting held Wednesday 12 October 2005
- 15 [SUB-TDAC] Minutes of the Tweed Shire Council Disability Access Committee Meeting held 20 October 2005
- 16 [SUB-CHD] Minutes of the Clarrie Hall Dam Fishery Management Committee Meeting held Wednesday 26 October 2005

REPORT:

As per Summary.

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RECOMMENDATIONS OF THE PLANNING COMMITTEE

Recommendations of the Planning Committee Meeting held on Wednesday 2 November 2005 for Council Adoption

SUMMARY:

The recommendations from the Planning Committee Meeting held Wednesday 2 November 2005 are reproduced in the body of this report for formal adoption by Council.

RECOMMENDATION:

That Council adopts the recommendations of the Planning Committee Meeting held on Wednesday 16 November 2005 as reproduced in the body of this report.

REPORT:

The recommendations from the Planning Committee Meeting held Wednesday 2 November 2005 are reproduced as follows for formal adoption by Council:-

1 [GM] Report on Tweed Shire Council Public Inquiry Recommendations

P 1 COMMITTEE DECISION:

**Administrator Turnbull
Administrator Boyd**

RESOLVED that:

1. This report be received and noted.
2. Administrators Boyd and Turnbull draft an Administrator's Minute in relation to the Public Inquiry recommendations insofar as it directly concerns Tweed Shire Council and the resilience of its planning controls and processes.

***FOR VOTE - Administrator Boyd, Administrator Turnbull, Administrator Woodward
ABSENT. DID NOT VOTE - Administrator Payne***

2 [PD] Amendment to Section 94 Contribution Plan No 16 - Emergency Facilities (Surf Lifesaving)

P 2 COMMITTEE DECISION:

**Administrator Boyd
Administrator Turnbull**

RECOMMENDED that Council endorses draft Amendment of Section 94 Contribution Plan No 16 – Emergency Facilities (Surf Lifesaving) be placed on public exhibition for 28 days in accordance with Clause 28(a) of the Environmental Planning and Assessment Regulations.

***FOR VOTE - Administrator Boyd, Administrator Turnbull, Administrator Woodward
ABSENT. DID NOT VOTE - Administrator Payne***

3 [PD] Draft Tweed Local Environmental Plan 2000, Amendment No 57 (Koala Beach Stage 7)

P 3 COMMITTEE DECISION:

**Administrator Turnbull
Administrator Boyd**

RECOMMENDED that:

1. Council amends the draft Local Environmental Plan prepared by GeoLINK to enable up to 16 horses to be kept on that part of the land which is not proposed for environmental protection.
2. Council seeks a Section 65 Certificate from the Regional Director, Department of Planning, to exhibit the amended Draft Local Environmental Plan.

***FOR VOTE - Administrator Boyd, Administrator Turnbull, Administrator Woodward
ABSENT. DID NOT VOTE - Administrator Payne***

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REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR PLANNING & DEVELOPMENT

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 79(C)(1) 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 [PD] Tweed Retail Strategy

ORIGIN:

Strategic Town Planning

SUMMARY OF REPORT:

At the Planning Committee Meeting held on 19 October 2005 Council considered a report in respect of the Tweed Retail Strategy which Council's Consultants had prepared. Council resolved that:

"in view of the fact that Council has had the benefit of a substantial amount of data from Consultants over a period of some two years, it is now time for a decision to be made to end the speculation which inevitably surrounds this issue, it is moved that the Planning Committee proposes to recommend adoption of the following strategy at the Council Meeting of 16 November 2005:-

1. *The character of existing towns and villages and the retail facilities they already have be protected.*
2. *Where appropriate, Council will support the incremental expansion of existing retail centres in such a way as not to threaten or fracture those existing centres, rather than building new ones.*
3. *Reinforce Tweed Heads south as the major district retail centre by encouraging the expansion and when Tweed's population demands that increased range and level of shopping.*
4. *Maintain and wherever possible enhance the special appeal of the retail centre of Murwillumbah and those village centres of similar style.*
5. *Limit the scale of new retail centres in the coastal region to a level which caters for the majority of localised daily needs. This concept to reflect the need to reduce fuel consumption and to support sustainability within each centre.*
6. *Council does not support the establishment of another district retail shopping centre".*

The Tweed Retail Strategy report has been deferred from the Planning Committee meeting of 19 October 2005 to allow for public representations to be made on the report prior to adoption by Council. There have been no submissions made in relation to the Tweed Retail Strategy report. In addition there have been workshops with the previous Council and the Administrators with the author of this report. The retail strategy report provides for different retail options in the Shire depending on the growth and desired future character of development in the Tweed.

An additional recommendation "7." has been inserted to address applications received in the interim while statutory documents are being amended.

RECOMMENDATION:

That:-

- 1. The character of existing towns and villages and the retail facilities they already have be protected.**
- 2. Where appropriate, Council will support the incremental expansion of existing retail centres in such a way as not to threaten or fracture those existing centres, rather than building new ones.**
- 3. Reinforce Tweed Heads south as the major district retail centre by encouraging the expansion and when Tweed's population demands that increased range and level of shopping.**
- 4. Maintain and wherever possible enhance the special appeal of the retail centre of Murwillumbah and those village centres of similar style.**
- 5. Limit the scale of new retail centres in the coastal region to a level which caters for the majority of localised daily needs. This concept to reflect the need to reduce fuel consumption and to support sustainability within each centre.**
- 6. Council does not support the establishment of another district retail shopping centre.**
- 7. The retail concepts in these recommendations form the basis of locality plans in the Shire and any retail development applications which are submitted in the interim of these locality plans being prepared and approved by Council be assessed so that the above retail strategies are supported and not compromised.**

REPORT:

At the Planning Committee Meeting held on 19 October 2005 Council considered a report in respect of the Tweed Retail Strategy which Council's Consultants had prepared. Council resolved that:

"in view of the fact that Council has had the benefit of a substantial amount of data from Consultants over a period of some two years, it is now time for a decision to be made to end the speculation which inevitably surrounds this issue, it is moved that the Planning Committee proposes to recommend adoption of the following strategy at the Council Meeting of 16 November 2005:-

1. *The character of existing towns and villages and the retail facilities they already have be protected.*
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3. *Reinforce Tweed Heads south as the major district retail centre by encouraging the expansion and when Tweed's population demands that increased range and level of shopping.*
4. *Maintain and wherever possible enhance the special appeal of the retail centre of Murwillumbah and those village centres of similar style.*
5. *Limit the scale of new retail centres in the coastal region to a level which caters for the majority of localised daily needs. This concept to reflect the need to reduce fuel consumption and to support sustainability within each centre.*
6. *Council does not support the establishment of another district retail shopping centre".*

The report submitted to the Planning Committee on 19 October 2005 is attached to this report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

1. [Draft Tweed Retail Strategy \(DW 1286468\)](#)
2. [Report to Council Meeting 19 October 2005 - Tweed Retail Strategy \(DW 1279819\)](#)

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REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS

2 [EO] EC 2004-117 Supply of Manual Traffic Control Teams for Council Works

ORIGIN:

Contracts

FILE NO: GC12/4 – 2004117 Pt1

SUMMARY OF REPORT:

The current contract for the supply of manual traffic control teams for Council works expires on Friday 2 December 2005. The contract was structured to allow for an initial twelve (12) month period with a twelve (12) month extension option.

Contact has been made with the current contract traffic control personnel supplier seeking their advice as to their interest to continue the contract for a further twelve (12) months.

RECOMMENDATION:

That Traffic Services Australia Pty Ltd be granted a twelve (12) month extension of their contract to provide Manual Traffic Control Teams. The current rates and conditions will apply for the period of the contract extension with the contract to terminate on 1 December 2006.

REPORT:

The current contract for the supply of manual traffic control teams for Council works expires on Friday 2 December 2005. The contract was structured to allow for an initial twelve (12) month period with a twelve (12) month extension option.

Traffic Services Australia Pty Ltd (TSA) were formally contacted and advised of the contract completion date and requested to advise of their interest to continue the contract for a further twelve (12) months period. The current rates and conditions would apply for the period of the contract extension.

Traffic Services Australia Pty Ltd (TSA) has advised that they are happy to take up the contract extension option.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

1. **Confidential Attachment** - Supplementary Information (DW 1294164)
-

REPORTS FROM THE DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

3 [EC] Tender HC2005-186 Annual Agreement for Surf Life Saving Patrols

ORIGIN:

Acting Director

SUMMARY OF REPORT:

The attached report was submitted to Council on 2 November 2005 when it was resolved as follows:-

"... that:-

1. *Council accepts the tender provided by Surf Life Saving Services Pty Ltd for the provision of beach life saving services on 'standard' beaches, as outlined in this report, over Christmas 2005/06 and Easter 2006 at the tender price of \$122,343.39 (GST exclusive).*
2. *Council undertakes a risk management assessment of options for providing life saving services on this long and often dangerous beach at Casuarina.*
3. *Council officers prepare a further report on the acceptance of the tender provided by Surf Life Saving Services Pty Ltd for the provision of beach life saving services at Casuarina Beach over Christmas 2005/06 and Easter 2006 at the tender price of \$28,084.50 (GST exclusive) following the completion of the assessment in (2) above.*
4. *All necessary documentation be executed under the common seal of Council."*

Following this resolution, advice was sought and received from Echelon, Risk Management Consultants who are currently engaged in carrying out various risk management tasks for Council. Echelon has advised that they are not qualified to perform the requested risk management assessment in this instance, and it has not been possible to obtain an alternative comprehensive and appropriate assessment within the short time frame available.

In these circumstances, an in-house review of Council's files relating to Surf Life Saving Strategies and Risk Management Insurance has been undertaken which has revealed the historical actions, as detailed in the body of this report, have occurred.

RECOMMENDATION:

That Council determines this report.

REPORT:

The attached report was submitted to Council on 2 November 2005 when it was resolved as follows:-

"... that:-

- 1. Council accepts the tender provided by Surf Life Saving Services Pty Ltd for the provision of beach life saving services on 'standard' beaches, as outlined in this report, over Christmas 2005/06 and Easter 2006 at the tender price of \$122,343.39 (GST exclusive).*
- 2. Council undertakes a risk management assessment of options for providing life saving services on this long and often dangerous beach at Casuarina.*
- 3. Council officers prepare a further report on the acceptance of the tender provided by Surf Life Saving Services Pty Ltd for the provision of beach life saving services at Casuarina Beach over Christmas 2005/06 and Easter 2006 at the tender price of \$28,084.50 (GST exclusive) following the completion of the assessment in (2) above.*
- 4. All necessary documentation be executed under the common seal of Council."*

Following this resolution, advice was sought and received from Echelon, Risk Management Consultants who are currently engaged in carrying out various risk management tasks for Council. Echelon has advised that they are not qualified to perform the requested risk management assessment in this instance, and it has not been possible to obtain an alternative comprehensive and appropriate assessment within the short time frame available.

In these circumstances, as in-house review of Council's files relating to Surf Life Saving Strategies and Risk Management Insurance has been undertaken which has revealed the following historical actions have occurred:-

Brief History Relating to Casuarina

- 27.03.2002 Casuarina letter requesting Council's advice on Council's intentions for implementation of monitoring surfing and beach activities (copy attached).
- 26.04.2002 Council reply advising that Council is not involved, and identifying beaches where patrols are provided, and confirming that this Precinct is no different to other unpatrolled, unsupervised areas of beach within Council's area, and that Council does not propose to employ lifeguards for this area (copy attached).

2002/2003 season

Season operations arranged and funded by Casuarina Beach Developer utilising two patrol areas.

2003/2004 season

Season operations arranged and funded by Casuarina Beach Development utilising one patrol area.

2004/2005 Developer advised that no funding available for season. Matter reported to Council Meetings on 17 November 2004 and 1 December 2004 and 15 December 2004, when it was finally resolved:-

"... that Council:-

- 1. Contracts Life Saving NSW for the period 22 December 2004 to 26 January, 7 days per week \$24,171.84 inclusive and for the period 25 March 2005 to 28 March 2005, 7 days per week \$4,565.79 inclusive such expenditure being voted.*
- 2. Accepts the amount of \$10,000 from Consolidated Properties towards the abovementioned costs.*
- 3. Considers this funding in its December budget review."*

(copies of reports attached)

2005/2006 Tenders were called for the provision of lifeguard services for all beaches which have traditionally been provided with such services, plus a price for one service at Casuarina Beach. This Casuarina service was not provided for in the 2005/2006 Budget because Council had not formally resolved to provide this service.

The report currently being considered addressed the outcome of the Tenders.

Other Related Documents

A number of other related documents exist on Council files which should be considered in conjunction with the above historical background for Casuarina.

Australian Beach Safety and Management Program

This document identifies Bogangar/Cabarita (South Kingscliff to Bogangar Beach) as having a Beach Safety Rating of 6, which is the same as other beaches in the locality such as the beach to the south, running from Norries Headland south to the mouth of Cudgera Creek, and to the north of Casuarina, the Fingal, Dreamtime, Wommin Kingscliff and Cudgen beaches all are rated at 6.

The document's comment relating to bathing on the beach between South Kingscliff and Bogangar Beach is in part as follows:-

Bathing: *A typical open North Coast beach with inner and outer bars and rip currents plus the intervening deep trough and longshore sweep. The currents in the trough and rips are intensified on the falling tide and can generate a dangerous situation.*

Strategic Asset and Service Management Program and Policy (SAMP)

Council's Asset Management Plan introduced in 1993 was updated and re-written during 2002 by Council's consultant risk manager to respond to the introduction of new legislation at that time being the Civil Liability Act and the Civil Liability Amendment (Personal Responsibility) Act.

The revised document entitled the Strategic Asset and Service Management Policy (SAMP) was reviewed and adopted by Council on 22 January 2003 and contains important provisions relating to signage for naturally occurring hazards, beach etc supervision and beach patrols.

The Report and Policy is detailed and extensive, occupying some 87 pages and is not re-produced in full, however several of the relevant Sections are re-produced below for Council's information:-

'Section 14.12 (h) Signs

- h) *No sign or warning shall be erected warning of the existence of **any naturally occurring hazard or danger** to all humankind—including but not limited to the hazards or dangers attaching to water or the use of water, any watercourse or body of water, wave motion on rocks, foreshores or any structure, freshwater or marine dwelling fish whether or not any such fish is known to be dangerous in any way to humankind, animals, reptiles and insects, or any land dwelling animal, reptile, insect, bird, beaches, cliffs, escarpments, steep slopes, uneven and/or slippery surfaces, trees, shrubs or other flora—within the shire at, along, in, about or around any foreshore, watercourse, or public place, park or reserve.'*

'Section 14.29.4 Signage

14.29.4 Signage

14.29.4.1 Generally

- a) *Subject to 14.29.4.2, signs shall be erected in accordance with **Schedule 6**.*

- b) *Despite Schedule 6, in accordance with the Local Government (General) Regulation 1999 (Part 6, s41), any sign used to “control bathing” (and “bathing” includes surfing and any other similar form of recreation) must comply with Australian Standard AS 2416—2002. This applies to the whole of s.14.29.*

14.29.4.2 Placement & Density of Signs

*A responsible person shall, after consulting with Council’s Risk Manager, determine the location and density (number of signs) to be placed at the respective assets mentioned in **Schedule 6**.*

14.30 Public (Ocean) Beach Reserves

14.30.1 Application of Policy

- a) *The beaches to which this policy applies are set out in Schedule 1A.*
- b) *This section does not apply to, and excludes entirely, the Service Agreement between the Council and Surf Life Saving INC.*
- c) *Subject to 14.30.2, the following management standards shall be adopted unless otherwise provided for in Schedule 4, 4A, or 6.*

14.30.2 Determination of Management Standards

A responsible person shall determine the management standards for all public beach reserves respectively.

14.30.3 Supervision of Beaches, Coastline and Other Locations

- a) *Except as provided for in Schedules 1A, 4, 4A or 6 respectively:*
- b) *All beaches within the Tweed shire area shall be unsupervised.*
- c) *The entire coastline, tidal and/or rock pools, foreshores, estuaries, rivers, lakes, lagoons, dams and the like within or immediately adjacent to Council’s defined shire area shall be unsupervised; and*
- No sign will be erected at any beach informing the public:*
 - that a beach is unpatrolled;*
 - that rescue services are not provided;*
 - the location of the nearest patrolled beach;*
 - that bathing or surfing at a particular beach may be hazardous; or*
 - that hazardous bathing or surfing conditions or dangerous sea creatures may exist at any particular beach.*

14.30.4 Beaches—Erection of Signs

Subject to s.18.53.5:

- a) *All beaches listed in Schedule 1A shall have the following signs erected advising the public:*
 - i. *Where a beach or part of a beach is not patrolled. At each designated entry point erect a sign in accordance with Schedule 6 (Item 2); and*
 - ii. *Where a beach is supervised. In accordance with Clause 2.2 of Australian Standard AS 2416—2002, inform the public:*
 - *the beach is only patrolled between the flags; and*
 - *bathing should only be undertaken in the designated patrolled area between the flags.*
- b) *All beaches other than those listed in Schedule 1A shall have signs erected in accordance with Schedule 6 (Item 2) at each designated entry point provided always that if no designated entry point exists at a beach then no sign shall be erected at the particular beach.*
- c) *Due to the uncertainty of public telephone placement or services (over which Council has no control), the location of the nearest public telephone (in case of an emergency) shall not be included on any sign.*
- d) *“Designated entry point (s)” means at each entry point to a beach that has been constructed by the Council, or by a competent public authority, for the purpose of permitting pedestrian or vehicular access to a beach reserve.*

14.30.5 Placement & Density of Signs

- a) *A responsible person shall, after consulting with Council’s Risk Manager, determine the location and density (number of signs) to be placed at the respective assets mentioned in Schedule 6.*
- b) *A detailed plan shall be prepared and maintained of the location of all signs determined in accordance with a).*
- c) *An inspection program will be developed for all signs determined in accordance with a).*
- d) *Despite a), signs shall only erected or placed at a designated entry point(s) and not at any other location on a beach.*
- e) *Where, at any particular beach, there is no designated entry point:*
 - *no designated entry point shall be constructed or provided; and*
 - *no sign shall be erected or placed at a beach where no designated entry point exists.*

- f) *No sign shall be erected at or about any road, pathway, track or trail leading to any particular beach where the road, pathway, track or trail has been established by public usage.*
- g) *Signs shall not be erected on or about any road, track or trail specifically constructed for bushfire access by Council, the Rural Fire Service, a public authority, or by any other person.*
- h) *A road, track or trail specifically constructed for bushfire access by Council, the Rural Fire Service, a public authority, or by any other person shall not be regarded as a designated entry point.*
- i) *For the purpose of f), “public usage” includes:*
- *illegal or unlawful access;*
 - *access where the public has forced or developed an entry onto a beach whether through scrub or over dune areas or across protected or rehabilitated beach dune areas or parks and gardens, and this includes a road, pathway, track or trail constructed by any person. But “public usage” excludes a road, track or trail constructed by Council or a public authority where the road, track or trail has been constructed for the express purpose of providing a designated entry point to a beach or to any particular part of a beach.*

Schedules Referred To:

SCHEDULE 1

—This is Schedule 1 to the Strategic Asset Management Policy—

Asset Groups Attaching to the Policy

Asset Groups
<input type="checkbox"/> Car Parks (free standing)
<input type="checkbox"/> Flood & Stormwater Drainage Systems
<input type="checkbox"/> Footpaths, Walking Trails & Tracks
<input type="checkbox"/> Parks & Reserves (inc. sporting facilities).
<input type="checkbox"/> Public (Ocean) Beaches
<input type="checkbox"/> Public Buildings & Facilities
<input type="checkbox"/> Public Roads
<input type="checkbox"/> Public Wharves, Jetties & Boat Ramps
<input type="checkbox"/> Swimming Centres (Murwillumbah, Kingscliff and Tweed Heads)

SCHEDULE 1A

Supervised (Patrolled) Beaches

Table 1

Patrol service performed by contractor

Beach	Period of Supervision (Patrol Season)	Limit of Supervision
<input type="checkbox"/> Duranbah <input type="checkbox"/> Fingal <input type="checkbox"/> Kingscliff <input type="checkbox"/> Cabarita <input type="checkbox"/> Hastings Point <input type="checkbox"/> Pottsville	School Holidays as Determined each year	As per the Contract with Surf Life Saving NSW

Schedule 6

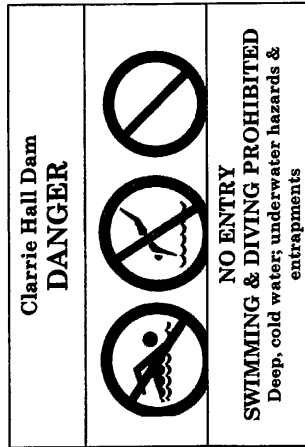
SCHEDULE 6

—This is Schedule 6 of the Strategic Asset Management Policy—

SIGNAGE – DETERMINATION OF ERECT SIGNS

SCHEDULE 6 - SIGNAGE

ITEM	ASSET GROUP	ASSET	LOCATION	SIGN TO BE ERECTED
5	Parks & Reserves	Clarrie Hall Dam	<ul style="list-style-type: none"> One sign at the entrance to the road across the dam wall and spillway. One sign in the centre of the wall facing the spillway. 	Sign is set out below.



Tweed Surf Life Saving Strategy 2020

This is a draft document which examines current services provided, identifies potential future issues, demands and options which may assist Council in future planning initiatives.

The document was prepared by Geolink in conjunction with Tweed Shire Council staff and representatives from Fingal, Cabarita and Cudgen Surf Clubs and Surf Life Saving NSW.

The document identifies a Surf Life Saving Service located centrally at Casuarina at a future date (see attached Plan marked F).

Other Considerations

Casuarina comprises of about three kilometres of beach with some 22 access points, making the choice and siting of a facility difficult, to ensure that all bathers in all locations at Casuarina are provided for.

Casuarina currently is developed at the northern and southern ends with less development in the central area where the Surf Life Saving facility is provided for in the 2020 Strategy document, again making siting choices difficult.

Casuarina is little different to the many other unpatrolled beaches within the Shire area where public access currently exists and no life saving facility is provided.

Plan (F)

Tweed Surf Life Saving Strategy 2020

(F)



- Legend**
- Open Space & Recreation
 - National Parks & Nature Reserves
 - Caravan Park
- SLSC services provided:*
- Traditional patrol
 - Tweed support services
 - Roving patrols
 - Outpost patrols
 - Surf lifesaving services (lifeguards)

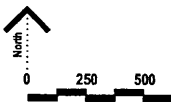


Illustration 3

Bogangar Beach

0488369
 Source: GeoLINK; Tweed Coast SLSC Clubs; TSC
 Date: August 2004
 quality solutions sustainable future

Conclusion

Having regard to all of the above, a decision needs to be made as to whether or not the life saving facility will be provided over the forthcoming Christmas and Easter periods.

As previously advised, no funds have been budgeted for this purpose which will cost \$28,084.50.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

An additional budget allocation will be required if the service is to be extended to include Casuarina.

If the service is not provided Council could be legally challenged in the event of a mishap.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

- [1. Report to Council Meeting held 2 November 2005 \(DW 1286800\)](#)
 - [2. Correspondence from Casuarina dated 27 March 2002 \(DW 663741\)](#)
 - [3. Correspondence to Casuarina Town Hall Pty Ltd dated 26 April 2002 \(DW 669182\)](#)
 - [4. Action Item and Report - Council Meeting held 17 November 2004 \(DW 1122633\)](#)
 - [5. Action Item and Report - Council Meeting held 1 December 2004 \(DW 1128447\)](#)
 - [6. Action Item and Report - Council Meeting held 15 December 2004 \(DW 1136006\)](#)
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