

TWEED SHIRE COUNCIL MEETING TASK SHEET

User Instructions

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Action Item - OPERATIONS MEETING Tuesday, 22 April 2008

Action for Item **O28** as per the Committee Decision outlined below.

ATTENTION:

PLEASE NOTE THE ADOPTION OF THE COMMITTEE RECOMMENDATIONS BY COUNCIL AT ITS MEETING HELD 22 APRIL 2008:

1 COUNCIL DECISION:

Administrator Boyd
Administrator Willan

RESOLVED that the recommendations of the Operations Committee held 22 March 2008 be adopted.

FOR VOTE - Unanimous

TITLE: [EO-OC] Distributor Road Network Planning Tweed Heads West/Cobaki/Bilambil Heights Areas

COMMITTEE DECISION:

Administrator Boyd
Administrator Willan

RECOMMENDED that:-

1. Until Cobaki Parkway is constructed continuously between Boyd Street and Piggabeen Road, development west of Cobaki Bridge at Kennedy Drive be restricted as per Council's current resolution discussed in Part 3 of this report.
2. The Cobaki Lakes Development to have unrestricted access to Piggabeen Road subject to:-
 - The Developer entering into a legally binding agreement with Council that indemnifies Council from any financial liability in regards to obligations under the Boyd Street Road Works Deed dated 16 June 1993.

- The Developer dedicating all the Cobaki Parkway Road Reserve (Boyd Street to Piggabeen Road) as part of Stage 1 of any new or amended Development Consents.
3. The proposed Pacific Highlands project part of the Bilambil Heights land release may be permitted to progress beyond current restrictions based on traffic thresholds on Cobaki Bridge provided:-
 - Cobaki Parkway is continuously constructed from Piggabeen Road to Boyd Street
 - The new "spine" road proposed through the site from Marana Street to Cobaki Road is constructed.
 - Cobaki Road from the "spine" road to Cobaki Parkway is upgraded.
 4. The remainder of the Bilambil Heights Land Release Area can only proceed beyond the current road volume allowances on Kennedy Drive when the Cobaki Parkway between Boyd Street and Piggabeen Road is continuously constructed, and then development must progress in a manner that progressively constructs the Scenic Drive Diversion from Piggabeen Road southward (i.e. all new development must have access to the Scenic Drive Diversion).
 5. The next review of Section 94 Contributions Plan No. 4, Tweed Road Contribution Plan to include in the Works Program, widening of Kennedy Drive between Cobaki Creek Bridge and Gray Street to four lanes.

FOR VOTE - Unanimous

Agenda Report

TITLE: [EO-OC] Distributor Road Network Planning Tweed Heads West/Cobaki/Bilambil Heights Areas

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

This report discusses the short and long term management of Kennedy Drive and Cobaki Parkway in their context as distributor roads within the Shires Distributor Road Network and the interrelationship with other elements of the Tweed Road Development Strategy (TRDS 2007) and the impacts of development in the subject area.

The TRDS identifies the Distributor Road Network for the Shire to accommodate the projected traffic growth for the ultimate development scenario for the current land zonings in the Local Environmental Plan. This report addresses how development growth in terms of traffic can be managed so as not to overload the distributor road network during its development and construction.

In the Tweed Heads West/Cobaki area, the major development areas of Cobaki Lakes and Bilambil Heights will have a significant impact on how and when the TRDS distributor roads are constructed and management of this process will control how development can occur.

Applications are being made under Part 3A of the EP & A Act for a revision of the Cobaki Lakes Development and for approval of the Pacific Highlands development, which is part of the Bilambil Heights release area. The proponents of these projects, LEDA and Terranora Management Group are required to submit "Statement of Commitments" to the Minister in regard to these projects. Both developers have conducted meetings with Council officers regarding the arterial road part of these statements and the need to reconcile conflicting arterial road policy issues. This report is partly in response to these issues and the proponents have been involved in negotiations to seek a resolution.

The report recommends a strategic timeframe based on the distributor road network to manage proposed development in a manner that allows the Tweed Heads West/Bilambil Heights/Cobaki localities to proceed.

RECOMMENDATION:

That:-

- 1. Until Cobaki Parkway is constructed continuously between Boyd Street and Piggabeen Road, development west of Cobaki Bridge at Kennedy Drive be restricted as per Council's current resolution discussed in Part 3.**
- 2. The Cobaki Lakes Development to have unrestricted access to Piggabeen Road subject to:-**

- The Developer entering into a legally binding agreement with Council that indemnifies Council from any financial liability in regards to obligations under the Boyd Street Road Works Deed dated 16 June 1993.
 - The Developer dedicating all the Cobaki Parkway Road Reserve (Boyd Street to Piggabeen Road) as part of Stage 1 of any new or amended Development Consents.
3. The proposed Pacific Highlands project part of the Bilambil Heights land release may be permitted to progress beyond current restrictions based on traffic thresholds on Cobaki Bridge provided:-
- Cobaki Parkway is continuously constructed from Piggabeen Road to Boyd Street
 - The new "spine" road proposed through the site from Marana Street to Cobaki Road is constructed.
 - Cobaki Road from the "spine" road to Cobaki Parkway is upgraded.
4. The remainder of the Bilambil Heights Land Release Area can only proceed beyond the current road volume allowances on Kennedy Drive when the Cobaki Parkway between Boyd Street and Piggabeen Road is continuously constructed, and then development must progress in a manner that progressively constructs the Scenic Drive Diversion from Piggabeen Road southward (i.e. all new development must have access to the Scenic Drive Diversion).
5. The next review of Section 94 Contributions Plan No. 4, Tweed Road Contribution Plan to include in the Works Program, widening of Kennedy Drive between Cobaki Creek Bridge and Gray Street to four lanes.

REPORT:

1. INTRODUCTION

This report discusses the short and long term management of Kennedy Drive and Cobaki Parkway in their context as distributor roads within the Shires Distributor Road Network and the interrelationship with other elements of the Tweed Road Development Strategy (TRDS 2007) and the impacts of development in the subject area.

The TRDS identifies the Distributor Road Network for the Shire to accommodate the projected traffic growth for the ultimate development scenario for the current land zonings in the Local Environmental Plan. This report addresses how development growth in terms of traffic can be managed so as not to overload the distributor road network during its development and construction.

In the Tweed Heads West/Cobaki area, the major development areas of Cobaki Lakes and Bilmabil Heights will have a significant impact on how and when the TRDS distributor roads are constructed and management of this process will control how development can occur.

Council's current position is to restrict development west of the Cobaki Creek Bridge so that a maximum of 24,650 vehicles per day cross Cobaki Creek Bridge. This restricts development to the equivalent of the generation of 1506 vehicle trips per day, which effectively prevents Bilambil Heights from developing and impacts on Cobaki Lakes. Some inconsistencies exist with current consents for the Cobaki Lakes Development which are complicated by Deeds of Agreement between Council, the developer of Cobaki Lakes and Gold Coast City Council (GCCC).

The proposed developments, policies and development consents need to be analysed collectively to determine the most effective way to facilitate development progression, whilst managing the resultant traffic growth on the distributor road network.

Parts 2 to 8 following provide an overview of the current documents, developments and issues that need to be considered in unison to develop a strategic managed approach to development.

2. TRDS 2007

This document updates the previous 1997 version and identifies the ultimate distributor road network to cater for all future development from currently zoned land within the Shire and is shown in Figure 1 for the area being discussed in this report.

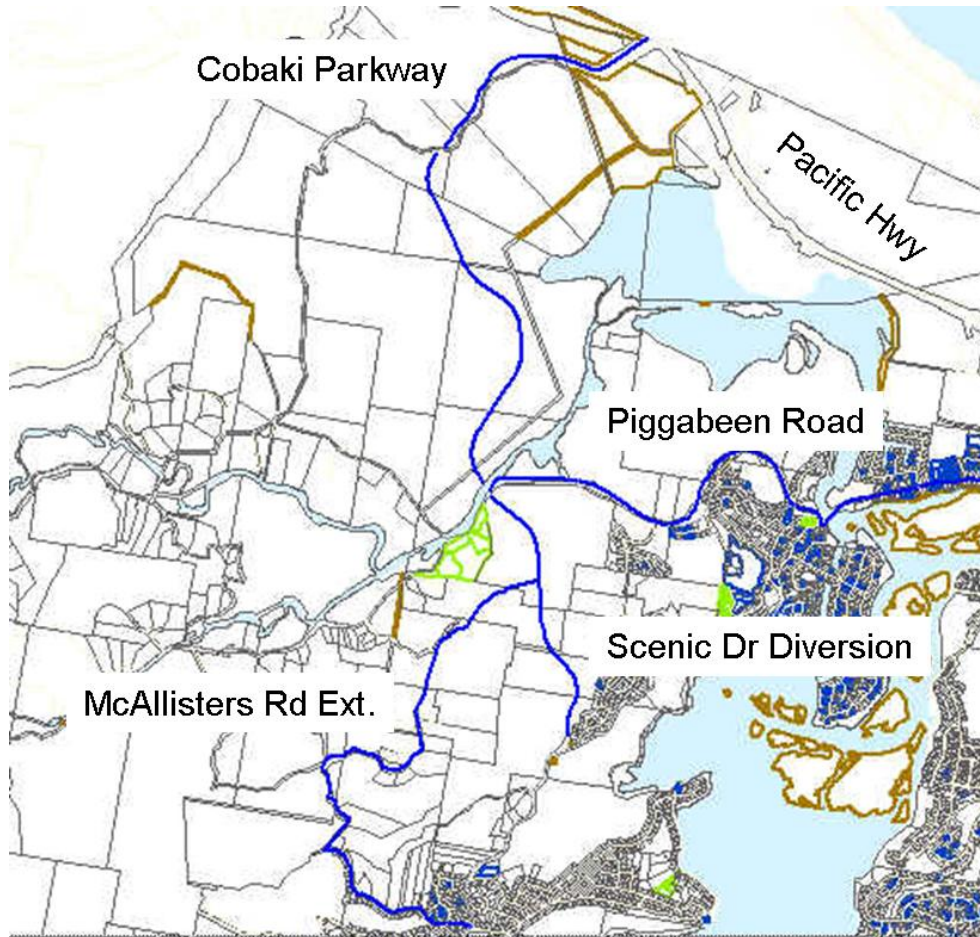


Figure 1

The new roads and upgrades are funded through the Tweed Roads Contribution Plan No 4 which was adopted by Council in July 2007.

3. COUNCIL REPORT – KENNEDY DRIVE – TRAFFIC CAPACITY AND THE IMPACT OF DEVELOPMENT (19 JUNE 2007).

Due to traffic capacity constraints at the Cobaki Creek Bridge at Kennedy Drive and the impact of potential development west of this point, a report was considered by Council on how to best control traffic growth from new development to a level that allows reasonable traffic corridors at the bridge.

After considering this Report Council resolved the following:-

RESOLVED that the recommendations of the Operations Committee held Tuesday 19 June 2007 adopted as follows –

1. *Council adopts the revised Level of Service D equating to 24,650 vehicles per day on Cobaki Bridge at Kennedy Drive.*

2. *The current remaining spare traffic capacity (being 1506 vehicle trips per day) to be provided to future development west of Cobaki Bridge on a first in/first served basis.*
3. *No development is approved west of Cobaki Bridge when the remaining spare traffic capacity of 1,506 vehicle trips per day are consumed.*
4. *With respect to items (2) and (3) above, a review of traffic generation and development approvals be taken in twelve months time."*

This decision only deals with the traffic issues on a short term basis.

4. COBAKI LAKES DEVELOPMENT CONSENTS

Cobaki Lakes is a major urban expansion zone expected to accommodate in the vicinity of 10,000 people in 4,500 dwellings. Whilst the developer of the site is reviewing the subdivision masterplan and land uses proposed to reflect contemporary design, it is important to note that the developer has 5 active development consents over the site dating back to 1992.

This is significant as three of the consents for 662 lots require the construction of the Cobaki Parkway and bridge over Cobaki Creek connecting to Piggabeen Road. At the time the consents were issued it was considered desirable to ensure the new development had access to the Tweed Heads CBD and other facilities within Tweed Shire.

Conflict between the development consents occurred in a 1999 consent for a further 560 lots which specifically prohibits the physical road connection to Piggabeen Road. The reasoning behind this is a Deed of Agreement regarding the Boyd Street Overpass and Boyd Street Queensland between Tweed Shire Council and Queensland Main Roads and GCCC which is explained below.

5. BOYD STREET ROAD WORKS DEED OF AGREEMENT

As part of the negotiations between the owner of Cobaki Lakes, TSC, and GCCC regarding the provision of the Boyd Street Overpass over the Tugun Bypass and construction of Boyd Street, a Deed of Agreement was entered into by the above parties ON 16 June 1993.

Whilst the overpass issue has been resolved and is 90 percent complete, the Deed still holds a potential risk for Council as follows. The Deed sets a peak hour traffic volume threshold on Boyd Street at the border. The Deed specifies that once this threshold is exceeded Boyd Street needs to be upgraded to 4 traffic lanes and a new signalized intersection be constructed at the Gold Coast Highway. It is specified in the Deed that these projects are to be funded by the party that causes or allows the above threshold to be exceeded. To ensure that Council was not responsible for triggering the upgrade works, it was determined that no road connection should be permitted from Piggabeen Road which explains the consent condition discussed above, but given Part 4 above, it may be difficult to enforce this condition.

Another Deed exists between the owner of Cobaki Lakes and QMR regarding a new intersection at Boyd Street and the Gold Coast Highway.

6. THE PACIFIC HIGHWAY AND ADJACENT ARTERIAL ROADS MASTERPLAN STEERING COMMITTEE

When the Tugun Bypass Development Application was exhibited Council objected to the deletion of the Boyd Street/Pacific Highway Interchange which had previously been included in the preferred Tugun Bypass Option.

From that objection, QMR, TSC, GCCC and RTA agreed to form the above committee to:-

- To investigate the configuration of the northern section of the Tugun Bypass adjacent to Cobaki Lakes and Tugun and the adjacent urban arterial road network.
- Optimise Highway interchanges and the adjacent arterial road network on a whole of network basis to provide the most appropriate levels of service and to ensure adequate connectivity to the proposed Tugun Railway Station.
- Determine if Boyd Street Overpass should be upgraded to a full interchange accessing the Pacific Highway.
- Make recommendations on the above to the respective stakeholders based on traffic and transport assessments. Note: Environmental issues will not be investigated as part of the Steering Committee process. These issues will be addressed in a later environmental assessment, detailed design and approval process.

The Boyd Street Interchange is to be further considered through this process.

The committee has had its inaugural meeting and agreed to develop a Consultants Brief for traffic modelling.

Regardless of the outcomes it is considered optimistic to expect an interchange at Boyd Street within 10 years.

7. BILAMBIL HEIGHTS URBAN LAND RELEASE AREA

This area is identified as future urban release land in the Tweed Development Program 1996 (TSC) and the Far North Coast Regional Strategy (Department of Planning) 2006. It is expected that approximately 9,000 people will be accommodated in this area in approximately 4,000 dwellings.

A major constraint to development of this area is current road network capacity. In the absence of the Scenic Drive Diversion and Cobaki Parkway any development in this area would rely on traffic capacity on Kennedy Drive which is restricted as discussed in Part 3.

8. TERRANORA LAKES RESORT DEVELOPMENT

This site has been the subject of development plans for many years. A current consent exists over the site which enables staged development of this site which allows 2,660 vpd access to Kennedy Drive. At this point further development of this site is restricted by the Council Policy discussed in Part 3.

9. APPLICATIONS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Applications are being made under PART 3A of the EP & A Act for a revision of the Cobaki Lakes Development and for approval of the Pacific Highlands development, which is part of the Bilambil Heights release area. The proponents of these projects, LEDA and Terranora Management Group are required to submit "Statement of Commitments" to the Minister in regard to these projects. Both developers have conducted meetings with Council officers regarding the arterial road part of these statements and the need to reconcile conflicting arterial road policy issues. This report is partly in response to these issues and the proponents have been involved in negotiations to seek a resolution.

10. DISCUSSION

Council's Traffic modelling undertaken in 2004 and 2007 (TRDS) provides the basis for determining the planned distributor road network and the predicted ultimate traffic volumes on these roads.

In the northern region of the Shire being reviewed in this report the critical distributor roads are Kennedy Drive, Cobaki Parkway and the Scenic Drive Diversion (Scenic Drive to Piggabeen Road).

The issue to be resolved is developing a program for release of development land that is manageable in terms of traffic and the incremental development of the distributor road network. Following is a table that provides information on projected ultimate traffic volumes on the distributor road network and current traffic volumes.

Location	Existing Volume 2007	ULTIMATE VOLUME			
		2005 Study with Cobaki Interchange	2005 Study without Interchange	2007 Study with Interchange	2007 Study without Interchange
Kennedy Drive between Barrett Street & Motorway	22,600	24,400	26,00	25,400	27,000
Kennedy Drive at Cobaki Bridge	16,200	20,100	21,900	22,000	23,600
Cobaki Parkway at Overpass	N/A	28,500	26,200	28,000	N/A
Cobaki Parkway at Piggabeen Road	N/A	13,000	13,300	13,100	N/A
Gollan Drive	14,200	15,900	16,000	16,700	N/A
Piggabeen Road at Gollan Drive	4,100	4,500	6,200	5,200	N/A

TABLE 1

Cobaki Bridge at the western end of Kennedy Drive is a critical component in the distributor road network as it is a 2 lane bridge which has physical traffic capacity constraints. Council has adopted a Policy setting the traffic capacity on it at 24,650 vehicles per day (vpd) as discussed in Part 3 above. As can be seen from Table 1, the ultimate daily traffic volume at this location is 23,600 vpd without the Boyd Street

interchange. Both ultimate scenarios are less than the interim capacity of 24,560 vpd. This can be explained by the fact the traffic using Cobaki Creek Bridge in the interim arrangements will transfer to the Cobaki Parkway when constructed as it provides a high standard road link into the Gold Coast for residents of Bilambil Heights and West Tweed.

Cobaki Lakes already has development consents that enable access to Piggabeen Road (and Cobaki Bridge) for approximately 660 lots out of a potential 4,500 lots. Based on a 90/10 Gold Coast/Kennedy Drive split this would equate to an increase of 430 vpd on Kennedy Drive. It is however impossible to prevent traffic from future approvals using Kennedy Drive once the Cobaki Parkway is connected to Piggabeen Road. Therefore impact in terms of traffic volume generated by the whole development needs to be determined. Using the TRCP rate of 6.5 vpd/lot equates to 30,000 vpd, and based on the above traffic split, a conservative estimate of 10% of all the ultimate Cobaki Lakes traffic accessed Piggabeen Road it would equate to an extra 3,000 vpd on the Cobaki Creek Bridge (it must be noted that this would take at least 10 years). This volume is however 'balanced' as the Cobaki Parkway will offer a convenient and efficient alternative to Kennedy Drive for existing Tweed Heads West and Bilambil Heights residents with trip destinations to the north. (In the ultimate road network scenario the traffic added to Kennedy Drive by Cobaki and Bilambil is balanced by existing traffic attracted away from Kennedy Drive to Cobaki Parkway). A conservative estimate of existing traffic attracted to the Cobaki Parkway would be about 1,500 vpd which when subtracted from ultimate Cobaki Lakes traffic would result in an increase in traffic of 1,500 vpd above the threshold set by Council of 24,650 vpd in 10 to 15 years time.

The above scenario will result in a temporary increase in traffic volumes on the Cobaki Creek Bridge and Kennedy Drive but is not expected to be significant at 6% and the Cobaki Creek Bridge will effectively 'throttle' access to Kennedy Drive thereby encouraging drivers to select Cobaki Parkway.

Once the Scenic Drive Diversion is completed existing traffic from Bilambil Heights will have more direct access to the Gold Coast via Cobaki Parkway and will cause a shift of traffic away from Kennedy Drive. It needs to be noted that this scenario occurs sometime in the future as it is unlikely the Cobaki Parkway will be connected to Piggabeen Road in the next 5 years and then another 5 to 10 years for the Scenic Drive diversion.

Once the Cobaki Parkway is completed the Bilambil Heights Release area could progress provided it was based on staging from Piggabeen Road southward via the progressive construction of the Scenic Drive diversion which runs from Piggabeen Road to Scenic Drive.

From the above it can be determined that with Cobaki Lakes fully developed, traffic on Cobaki Creek Bridge at Kennedy Drive will be up to 1500 vpd above the current threshold of 24,650 vpd being 26,150 vpd. (Note that in 1992 Beard & Holland observe traffic volumes of about 30,000 vpd on the two lane Walker Taylor Bridge in Brisbane). This situation only occurs or remains until Scenic Drive Diversion is completed and connected into Cobaki Parkway.

Once the Cobaki Parkway and Scenic Drive Diversion and its associated connections are completed the ultimate development and traffic scenarios shown in Table 1 will be generated.

That is at Cobaki Creek Bridge 23,600 vehicles per day will cross the bridge onto Kennedy Drive if the Boyd Street interchange is not constructed or 22,000 vpd with the Boyd Street Interchange. These figures are both below the maximum threshold of 24,650 vpd adopted by Council.

Similarly, the proposed Pacific Highlands development, which is the subject of a current PART 3A application to the NSW Minister for Planning, should remain restricted to its current traffic generation allowance in accordance with the existing current development consents until Cobaki Parkway is connected to Piggabeen Road and the public 'spine' road as planned in this development from Marana Street to Cobaki Road is constructed. Once these roads are completed, they will provide attractive transport routes for the new development and existing residents of the Bilambil Heights area. Any increase in traffic from the Pacific Highlands development site on Kennedy Drive is expected to be offset by existing traffic shifting to the new 'spine' road and Cobaki Parkway.

11. CONCLUSION

Based on the above discussion and traffic data it is concluded that a strategic timeframe can be developed that will enable orderly development in the Tweed Heads West, Bilambil Heights and Cobaki localities. The key element in the timeframe is the construction of the Cobaki Parkway to Piggabeen Road. The following strategic timeframe will cause temporary increases in traffic volume on Kennedy Drive but by not widening the Cobaki Creek Bridge, a physical constraint to restrict traffic increases is provided which will encourage use of the alternative Cobaki Parkway.

It is considered desirable that managed development should be allowed to progress especially as TSC has spent \$6 M from the TRCP No.4 developer funds for the soon to be completed Boyd Street Overpass over the Tugun Bypass to enable traffic from Tweed Shire access to Boyd Street in Queensland. It is acknowledged that whilst traffic growth issues on Kennedy Drive can be managed without the Boyd Street interchange, connection to Piggabeen Road will result in a significant gradual increase in traffic entering Boyd Street and the Gold Coast Highway and this issue will be considered by the Pacific Highway and Adjacent Arterial Roads Master Plan Steering Committee.

To minimise the impact on Kennedy Drive it is considered desirable to upgrade it to 4 lanes from the Cobaki Creek Bridge to Gray Street where it is already 4 lanes. Currently 3 lanes are provided on this section, 2 eastbound and 1 westbound lane. It is proposed that the cost of upgrading be added to the TRCP No 4 at its next revision. The cost of such work would be expected to be relatively low.

As stated above, the construction of Cobaki Parkway is the critical element and as such the developer of the Cobaki Lakes project should be required to dedicate to Council the Cobaki Parkway Road Reserve at the first stage of any new development approval that may be issued. It is also critical to the proposed development scenario that the developer of Cobaki Lakes (the landowner) enter into a legally binding agreement releasing TSC from any obligation that may be inferred from the Deed of Agreement between TSC, Calsonic (Cobaki Lakes Developer), and Gold Coast City Council dated 6 August 1993.

These steps will provide flexibility and enable other developers such as Bilambil Heights to construct Cobaki Parkway within a timeframe that may differ from Council's timeframe based on the TRCP No.4.

12. PREFERRED DEVELOPMENT MANAGEMENT STRATEGIES

The following management strategy is proposed as an effective method to enable development in the Bilambil Heights/Tweed Heads West areas to progress without being reliant on an interchange at Boyd Street.

12.1 Until Cobaki Parkway is constructed continuously between Boyd Street & Piggabeen Road, development west of Cobaki Bridge at Kennedy Drive be restricted as per Council's current resolution discussed in Part 3.

12.2 The Cobaki Lakes Development to have unrestricted Access to Piggabeen Road subject to:-

12.2.1 The Developer entering into a legally binding agreement with Council that indemnifies Council from any financial liability in regards to obligations under the Boyd Street Roadworks Deed dated 16 June 1993.

12.2.2 The Developer dedicating all the Cobaki Parkway Road Reserve (Boyd Street to Piggabeen Road) as part of Stage 1 of any new or amended Development Consents.

12.3 Proposed Pacific Highlands Project may be permitted to progress beyond current restrictions based on traffic thresholds on Cobaki Bridge provided:-

12.3.1 Cobaki Parkway is constructed continuously from Piggabeen Road to Boyd Street

12.3.2 The new "spine" road proposed through the site from Marana Street to Cobaki Road is constructed.

12.3.3 Cobaki Road from "spine" road to Cobaki Parkway is upgraded.

12.4 The remainder of the Bilambil Heights Land Release Area can only proceed beyond the traffic volume currently allowed on Kennedy Drive when the Cobaki Parkway between Boyd Street and Piggabeen Road is continuously constructed, and then development must progress in a manner that progressively constructs the Scenic Drive Diversion from Piggabeen Road southward (i.e. all new development must have access to the Scenic Drive Diversion).

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Significant impact on Arterial Road Policy and development in the West Tweed area.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.



TWEED SHIRE COUNCIL MEETING TASK SHEET

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Action Item - PLANNING MEETING Tuesday, 16 December 2008

Action for Item **P16** as per the Committee Decision outlined below.

ATTENTION:

PLEASE NOTE THE ADOPTION OF THE COMMITTEE RECOMMENDATIONS BY COUNCIL AT ITS MEETING HELD TUESDAY 16 DECEMBER 2008:

69 COUNCIL DECISION:

Cr P Youngblutt
Cr W Polglase

RESOLVED that the recommendations of the Planning Committee held Tuesday 16 December 2008 be adopted.

FOR VOTE - Cr P Youngblutt, Cr D Holdom, Cr K Skinner, Cr B Longland, Cr W Polglase, Cr J van Lieshout
AGAINST VOTE - Cr K Milne

TITLE: [EO-OC] Amendment to Contribution Plan No. 4 - Tweed Road Contribution Plan

COMMITTEE DECISION:

Cr D Holdom
Cr K Skinner

RECOMMENDED that:-

1. Council adopts the draft Tweed Road Contributions Plan (Contributions Plan No 4 - Version 5.1) as a basis for exhibition and community discussion/consultation.
2. The draft plan Version 5.1 be exhibited as required by the Environmental Planning and Assessment Regulations to repeal and replace Version 5.0.

FOR VOTE - Unanimous

Agenda Report

TITLE: [EO-OC] Amendment to Contribution Plan No. 4 - Tweed Road Contribution Plan

ORIGIN:

Planning & Infrastructure

SUMMARY OF REPORT:

Amendments to the Tweed Road Contribution Plan are recommended for exhibition. The proposed amendments are as follows:-

1. Inclusion of upgrading of Kennedy Drive between Rose Street and the Cobaki Creek Bridge valued at \$3,222,000 in the works schedule.
2. Corrections to typographical errors in the rates tables resulting in a decrease for Sector 4 rates of \$16 per trip and an increase in Sector 8 rates of \$29 per trip.
3. References to the 'adjustment factor' applied at the time of adoption of Version 5 of this Plan have been moved to a new schedule, Schedule 6.
4. Equations required to calculate the modification factor for a shop (Table 7.2) have been inserted to assist with calculations.
5. Items 9, 10 and 11 of Table 7.1 have been amended to allow for a shop with GLA 100m², 6,000m² and 10,000m².

RECOMMENDATION:

That:-

1. **Council adopts the draft Tweed Road Contributions Plan (Contributions Plan No 4 - Version 5.1) as a basis for exhibition and community discussion/consultation.**
2. **The draft plan Version 5.1 be exhibited as required by the Environmental Planning and Assessment Regulations to repeal and replace Version 5.0.**

REPORT:

1. Background

At its meeting held 22 April 2008 Council resolved:-

- "1. *Until Cobaki Parkway is constructed continuously between Boyd Street and Piggabeen Road, development west of Cobaki Bridge at Kennedy Drive be restricted as per Council's current resolution discussed in Part 3.*
2. *The Cobaki Lakes Development to have unrestricted access to Piggabeen Road subject to:-*
 - *The Developer entering into a legally binding agreement with Council that indemnifies Council from any financial liability in regards to obligations under the Boyd Street Road Works Deed dated 16 June 1993.*
 - *The Developer dedicating all the Cobaki Parkway Road Reserve (Boyd Street to Piggabeen Road) as part of Stage 1 of any new or amended Development Consents.*
3. *The proposed Pacific Highlands project part of the Bilambil Heights land release may be permitted to progress beyond current restrictions based on traffic thresholds on Cobaki Bridge provided:-*
 - *Cobaki Parkway is continuously constructed from Piggabeen Road to Boyd Street*
 - *The new "spine" road proposed through the site from Marana Street to Cobaki Road is constructed.*
 - *Cobaki Road from the "spine" road to Cobaki Parkway is upgraded.*
4. *The remainder of the Bilambil Heights Land Release Area can only proceed beyond the current road volume allowances on Kennedy Drive when the Cobaki Parkway between Boyd Street and Piggabeen Road is continuously constructed, and then development must progress in a manner that progressively constructs the Scenic Drive Diversion from Piggabeen Road southward (i.e. all new development must have access to the Scenic Drive Diversion).*
5. *The next review of Section 94 Contributions Plan No. 4, Tweed Road Contribution Plan to include in the Works Program, widening of Kennedy Drive between Cobaki Creek Bridge and Gray Street to four lanes."*

This report implements resolution No. 5 above by submitting an amendment to the Contributions Plan to incorporate widening of Kennedy Drive. Additionally, this report amends a number of typographically errors and other minor matters in the plan.

2. Proposed Works

The proposed works include widening Kennedy Drive to four lanes between the tick gate near Cobaki Creek Bridge and Rose Street. The proposed works will necessitate new kerb and channelling and associated drainage works, pavement widening, road reconstruction, road reshaping, resurfacing and the undergrounding of overhead power on the southern side only. The undergrounding of overhead power forms a major component to the cost.

As stated above the additional costs to be included in the TRCP No. 4 are those associated with the widening which equates to two full lanes of road reconstruction. The rehabilitation of the remaining carriageway (reshaping, partial reconstruction and asphaltic concrete overlay) is on account of existing use and is not eligible for Section 94 funding and will therefore need to be funded through Council's other roadworks programs.

Estimated Cost (widening component only) - \$3,222,000.

3. Contributions

It is proposed to include the proposed works in the works schedule of the TRCP. This amendment does not propose to change the sector contributions as this would require re-running of the traffic model and is not practical within a reasonable time frame. Sector contributions are subject to automatic indexation, which is considered sufficient, until a full re-run of the model and subsequent further amendment of the Plan.

4. Draft Version 5.1 Amendments to Section 94 Contribution Plan No. 4 - Tweed Road Contribution Plan

The following amendments are included in draft version 5.1 of the plan (attached).

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

"Version 5.1 of this plan amends Table 5.1(b) "Works Schedule" and Schedule 6 "TRDS Project Costings" by adding an additional item 29a:-

29a. Kennedy Drive Four-laning, Total Cost \$3,222,000

(b) Amend "CONTRIBUTION PLAN No 4 VERSIONS/EDITIONS" by adding "Draft Version 5.1 amends the works programme by addition of the four-laning of Kennedy Drive between Rose Street and the tick gate."

(c) Amend Contribution Tables - Correction of Typographical Errors

Typographical discrepancies between contribution tables in the plan have been amended to reflect the table below:-

Sector	Locality	Base Rate Calculation			Total Trip End Contribution			Trip ends per Household	Household Contribution		
		Standard Trip End Contribution	Local Trip Contribution	Admin Fee 5%	Base Rate	Adjusted Total Trip End	Adjusted for IPD		Base Rate	Adjusted Total Per Lot	Adjusted for IPD
4	Bilambil Heights	\$1,603*	\$ -	1.05	\$1,677	\$1,683	\$1,781	6.5	\$10,764	\$10,940	\$11,577

Sector	Locality	Base Rate Calculation			Total Trip End Contribution			Trip ends per Household	Household Contribution		
		Standard Trip End Contribution	Local Trip Contribution	Admin Fee 5%	Base Rate	Adjusted Total Trip End	Adjusted for IPD		Base Rate	Adjusted Total Per Lot	Adjusted for IPD
		\$1,577			\$1,656	\$1,662	\$1,797		\$11,679	\$10,803	\$12,514
8	Pottsville	\$974*	\$ -	1.05	\$995	\$1,022	\$1,066 \$1,095	6.5	\$6,470	\$6,647	\$6,932 \$7,122
	LAC3: Koala Beach/Seabreeze	\$974*	\$79	1.05	\$1,078	\$1,105	\$1,155 \$1,184	6.5	\$7,007	\$7,182	\$7,508 \$7,695

This correction results in the following changes to the base trip rate as currently applied:

- * Bilambil Heights (Sector 4) decreases by \$16 per trip
- * Pottsville & Koala Beach (Sector 8) increases by \$29 per trip

(d) Adjustment Factor

References to the 'adjustment factor' applied at the time of adoption of Version 5 of this Plan have been moved to a new schedule, Schedule 6. The adjustment figures as calculated on 20 July 2007 have been added to the Schedule.

(e) Modification Factor - Shop

To assist with calculations, equations required to calculate the modification factor for a shop (Table 7.2) have been inserted.

- (f)** Due to an oversight, Items 9-11 of Table 7.1 had effectively excluded a parameter for shops of 100m², 6,000m² and 10,000m². Therefore Items 0-11 of Table 7.1 have been amended as follows:-

9	Shopping Centre 100m² <SC<6,000m ²	200 + 0.8 (A)	A=m ² GLA
10	Shopping Centre 6,000m² <SC<10,000m ²	500 + 0.75 (A)	A=m ² GLA
11	Shopping Centre >= 10,000m²	3,200 + 0.48 (A)	A=m ² GLA

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

The proposal will enable four-laning, of Kennedy Drive to be financed.

POLICY IMPLICATIONS:

This report implements some of the Policy changes adopted by Council 22 April 2008.

UNDER SEPARATE COVER/FURTHER INFORMATION:

To view any "**non confidential**" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).

1. Tweed Road Contribution Plan CP No. 4 - Draft - Version 5.1 December 2008 (DW 1947706).
2. Council report meeting held 22 April 2008 (DW 1802673).
3. Council resolution from meeting held 22 April 2008 (DW 1807943).

