



TWEED SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

Thursday 28 May 2009

Mayor: Cr J van Lieshout

**Councillors: Cr B Longland, Deputy Mayor
Cr D Holdom
Cr K Milne
Cr W Polglase
Cr K Skinner
Cr P Youngblutt**

COUNCIL'S CHARTER

Tweed Shire Council's charter comprises a set of principles that are to guide Council in the carrying out of its functions, in accordance with Section 8 of the Local Government Act, 1993.

Tweed Shire Council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- to exercise community leadership;
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism;
- to promote and to provide and plan for the needs of children;
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development;
- to have regard to the long term and cumulative effects of its decisions;
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible;
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government;
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants;
- to keep the local community and the State government (and through it, the wider community) informed about its activities;
- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected;
- to be a responsible employer.

ITEMS FOR CONSIDERATION OF COUNCIL:

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ABORIGINAL STATEMENT

The Bundjalung Aboriginal Nation was acknowledged 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 and custodians of these lands."

CONFIRMATION OF MINUTES

1 Minutes of the Ordinary and Confidential Council Meeting held Tuesday 21 April 2009

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. Minutes of the Ordinary Council Meeting held Tuesday 21 April 2009 (ECM 2035648).
 2. **Confidential Attachment** - Minutes of the Confidential Council Meeting held Tuesday 21 April 2009 (ECM 2032635).
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2 Minutes of the Extraordinary Council Meeting held Tuesday 5 May 2009

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. Minutes of the Extraordinary Council Meeting held Tuesday 5 May 2009 (ECM 2045013).
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SCHEDULE OF OUTSTANDING RESOLUTIONS

3 Schedule of Outstanding Resolutions as at 28 May 2009

FOR COUNCILLOR'S INFORMATION:

18 November 2008

PLANNING COMMITTEE

P4 [PR-PC] Development Application DA07/0945 for Multi Dwelling Housing Consisting 34 Residential Units at Lot 290, 630 DP 755740; Lot 1 DP 781512, No. 7 Elsie Street, Banora Point

P 13 COMMITTEE DECISION:

Cr W Polglase
Cr K Skinner

RECOMMENDED that this item be deferred to allow for further negotiations with the applicant.

Current Status: To be reported to a future Planning Committee Meeting.

21 April 2009

PLANNING COMMITTEE

P5 [PR-PC] Development Application DA05/0824.07 for modification to DA05/0824 for multi dwelling housing comprising four (4) units at Lot 4 Section 2 DP 7309, No. 26 Seaview Street Kingscliff

P 51
Cr D Holdom
Cr K Skinner

RECOMMENDED that this item be deferred pending further advice and a report from the Director Planning & Regulation.

Current Status: To be reported to a future Planning Committee Meeting.

COUNCIL MEETING

REPORTS FROM THE GENERAL MANAGER

5 [GM-CM] Integrated Customer Service

77

AMENDMENT

Cr W Polglase

Cr J van Lieshout

RESOLVED that this item be deferred to allow for a workshop.

Current Status: Workshop scheduled for Tuesday 26 May 2009.

ORDERS OF THE DAY

18 [NOM] Tweed Koala Status

90

Cr K Milne

Cr B Longland

RESOLVED that Council holds a workshop with Council staff on the state of the Tweed Koalas.

Current Status: Workshop programmed.

MAYORAL MINUTE

4 [MM-CM] Mayoral Minute for the period 10 April 2009 - 19 May 2009

Councillors,

INVITATIONS:

Attended by the Mayor

- 20 April 2009 - Quota International of Tweed Heads/Coolangatta, installation of Officers and Changeover Dinner, Coolangatta
- 22 April 2009 - Mock cheque handover, VMR Point Danger, Tweed Heads/ Coolangatta
- 25 April 2009 - ANZAC Day, Murwillumbah
- 28 April 2009 - Cardno Board Dinner, Carrara
- 28 April 2009 - Tweed Heads Memorial Gardens & Crematorium, Tweed Heads
- 1 May 2009 - Invitation to attend the Aboriginal Advisory Committee, South Sea Islander Room Tweed Civic Centre
- 2 May 2009 - Far North Coast Law Society Ball, Ballina
- 5 May 2009 - Safe Water Project 2, Murwillumbah Civic Centre Auditorium
- 9 May 2009 - Tweed Netball Association Incorporated, March Past, Tweed Heads South
- 14 May 2009 - Centaur Day, Point Danger Memorial, Tweed Heads
- 17 May 2009 - Murwillumbah Historical Society 50th Anniversary, Murwillumbah Bowling Club, Murwillumbah
- 19 May 2009 - Youth Gala Night, Coolamon Centre, Murwillumbah

Attended by other Councillor(s) on behalf of the Mayor

- 9 May 2009 - Murwillumbah Netball Association, March Past, Murwillumbah (Cr Holdom)

Inability to Attend by or on behalf of the Mayor

- 16 April 2009 - Rivers, Roads & Rail Regional Exhibition Trail, Casino
 - 29 April 2009 - NSW Business Chamber invitation to “NSW Reclaiming 1st Launch”, Sydney
 - 1 May 2009 - Local Government Cultural Awards 2009, NSW Parliament House
 - 8 May 2009 - Southern Cross University Graduation Lunch, Goonellabah (Lismore Campus)
 - 14 May 2009 - Twin Towns Friends Big Cuppa for Cancer, Community Hall Tweed Heads South
 - 15 May 2009 - Parsons Brinckerhoff, tour of Carlton Brewhouse, Yatala
 - 16 May 2009 - Tweed Heads Historical Society Book Launch, Kingscliff Community Hall
-

CONFERENCES:

Conferences attended by the Mayor and/or Councillors

Nil

Information on Conferences to be held

Councillors, please refer to the Councillor portal for complete Conference information

SIGNING OF DOCUMENTS BY THE MAYOR:

- 23 April 2009 - Lease – Murwillumbah Pistol Club, Wardrop Valley
 - 30 April 2009 - Lease – Part of Road Reserve, Riverside Drive, Tumbulgum
 - 12 May 2009 - Request – Acquisition of Crown Land, Dunbible Creek, Dunbible
-

RECOMMENDATION:

That:-

- 1. That the Mayoral Minute for the period 10 April 2009 to 19 May 2009 be received and noted.**
 - 2. The attendance of Councillors at nominated Conferences be authorised.**
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ORDINARY ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE GENERAL MANAGER

5 [GM-CM] Draft Public Participation Policy

ORIGIN:

General Manager

SUMMARY OF REPORT:

This report recommends the development of a draft Public Participation Policy which in turn will recommend the way forward for Council to provide an integrated and coordinated approach to Council's management of its engagement with the community.

The overall goal of a Public Participation Policy is to improve relationships between Council, its community and customers, thereby increasing levels of participation, satisfaction and support for the activities Council undertakes on their behalf.

The draft Public Participation Policy will provide options and consultation models; outline minimum standards for community consultation; and clearly explain and define the types of participation options and requirements available for Council programs.

Following the adoption of the final Public Participation Policy Council aims to centralise the management and coordination of Council's public participation requirements to the Communications and Marketing unit to create greater consistency, effectiveness and utilisation of skills.

This will lead to increased cross-departmental knowledge; expertise and involvement in public participation across Council; retention and consolidation of all Council consultation activities; and provide the community with consistency to Council public participation activities.

RECOMMENDATION:

That Council develops a draft Public Participation Policy for consideration to provide options for Council's preferred communication methods with the community.

REPORT:

In August 2007 an initial audit of Council's corporate relations activities was undertaken. This highlighted a number of areas where improvements could be made including public participation.

This report recommends the development of a draft Public Participation Policy which in turn will recommend the way forward for Council to provide an integrated and coordinated approach to Council's management of its engagement with the community.

For Council, the relationships it has with its customers and community, based on their experiences with and perceptions of the organisation, are central to its success.

The overall goal of a Public Participation Policy is to improve relationships between Council, its community and customers, thereby increasing levels of participation, satisfaction and support for the activities Council undertakes on their behalf.

The draft Public Participation Policy will provide options and consultation models; outline minimum standards for community consultation; and clearly explain and define the types of participation options and requirements available for Council programs.

The underlying and broad principles that will form the basis of the draft Public Participation Policy are based on commitments made in Council's Communication and Customer Service Policies. They are that:

- Council recognises its obligation to provide the community with clear, accurate and timely information about its plans, decisions, policies, procedures, services and products.
- Council supports the right of citizens to participate in decision making that affects their future and, to that end, will ensure that their concerns and needs are known and considered.
- Council recognises that customers require and deserve prompt, courteous, accurate and efficient service in all their dealings with the organisation.
- Council values its staff and seeks to develop their skills and to support and guide them with effective systems, policies, processes and structures.

For Council, Public Participation is regarded as a set of actions and efforts, underpinned by a philosophy and set of values that connect Council and the community in decision-making about policy, program and service issues.

Public participation contributes to developing Community Engagement, wherein citizens are actively involved in the social, political and civic life of their community. Active involvement by citizens is regarded as a hallmark of a healthy community.

For practical purposes, the stages and types of participation can be described as:

Information sharing: where the community and stakeholders receive balanced, accurate and relevant information on decisions, policies, plans and strategies. It is often used when Council has already made a decision or when there is only one way that Council believes it can progress a project.

Community Consultation: where an active two-way communication relationship exists between Council and the community. At this level, Council seeks feedback on proposals to identify important community issues and perspectives that can influence and assist decision making - actions that have been identified as a significant factor in building local trust in a council. Information sharing is a prerequisite for consultation, which is the main focus of this document.

Public Participation: where a collaborative relationship/partnership exists between Council and the community, facilitating involvement in shaping decisions that affect community life. Information sharing and consultation are elements of participation, which also involves forums such as workshops, advisory and steering committees.

Many factors limit the level of involvement possible: State or National legislation may prescribe specific activities; project characteristics may determine what can or should be done.

For Tweed, like many councils, the focus is on information and consultation and, in some cases, participation. At no point does public participation replace the democratic process of decision-making by elected representatives who make the final determinations. Public participation should be a standard part of Council programs and supports Councillors in their decision making role.

The draft Public Participation Policy will address the three stages of consultations above and outline some minimum standards and consultation options which can be tailored to meet the needs of Councils programs and the community.

Benefits of effective consultation:

To Council:

- Builds greater support for resulting plans and policies; reduces potential for conflict at late stage of projects
- Identifies challenges and opportunities not previously considered
- Provides access to local knowledge about what is likely to work and what is not
- Improves communication and transparency
- Builds respect for Council by showing interest in, and acting on what citizens think and feel
- Builds confidence, respect and support for professional staff
- Informed and active electorate can defend democratic processes and help ensure opportunistic and “nimby” views do not prevail
- Promotes community development and connections
- Increases participation in strategic policy development, not just “backyard” issues.

To the Community:

- Shows that their opinions matter and they can be involved in decisions that affect them
- Contributes local expertise and knowledge to a topic
- Enhances Council accountability
- Develops understanding of Council activities and processes
- Improves access to Council decision makers
- Builds knowledge and skills, enabling more effective participation in community life
- Individual and group empowerment and confidence – strengthens community networks
- Community equipped – informed and active – to defend democratic processes and ensure limited views do not prevail.

Following the adoption of the final Public Participation Policy it is intended to centralise the management and coordination of Councils public participation requirements to the Communications and Marketing unit to create greater consistency, effectiveness and utilisation of skills.

This will lead to increased cross-departmental knowledge; expertise and involvement in public participation across Council; retainment and consolidation of all Council consultation activities; and provide the community with consistency to Council public participation activities.

The current Communication Policy, adopted by Council on 13 November 2007, follows.

Policy Document



Communication

Version 1.1

Adopted by Council
at its meeting on
Tuesday 13 November 2007
Minute No: O290 and 179

Division:	Technology & Corporate Services
Section:	Corporate Compliance
File Reference:	n/a
Historical Reference:	1.0 15 December 2004



Policy Document

Communication

Communication Policy

This Communication Policy was developed in consultation with resident and business groups over an eighteen month period. This policy was unanimously recommended for adoption.

Corporate Goal

"To encourage participation and provide access to opportunities for the advancement of community needs."

Rationale

The Tweed Shire Council believes that:-

- a) All Shire citizens have a right to the best possible access to Council's policy, regulation and other public documents and to trained staff;
- b) It is the right of all Shire citizens to participate in the decision making processes which affect their future;
- c) The attitudes, concerns and needs of all Shire citizens must be known and considered in Council decisions as far as possible;
- d) Council can make sound decisions by tapping the depth and breadth of talent and commonsense existing in the Tweed community;
- e) The private sector has much to gain in terms of image and community support for projects by becoming aware of, and sensitive to, people's attitudes, concerns and needs from the earliest stages through to the final decision; and
- f) A harmonious future for the Tweed Council area depends on honesty, mutual trust, co-operation and a willingness to respect other's point of view.
- g) Consultation needs to be timely and appropriate is not intended to prolong the decision making process.

Information and Consultation

- a) **Information** provision is the provision of knowledge from those who have it to those who don't. Council is committed to the best possible provision of **information** which it has available for public scrutiny and help to people who need public **information** not available locally but available from elsewhere.

The **information** process is a two way process. It must flow from the many sources in the community. Council will operate a two way **information** process which encourages the community to make its attitudes, concerns and needs known.



Policy Document

- b) **Consultation** is the process of involving the public in decision making. This is a process built on the exchange of information, but it goes further. **Consultation** requires Council, and those with projects coming before Council, to take note of the attitudes, concerns and needs of the community. It also involves the community becoming aware of the rights and responsibilities of the private sector and of Council in carrying out its duties.

Consultation brings out the potential impacts of each proposal and allows free ranging consideration of the best ways of proceeding. It can lead to the solving of problems before they get too entrenched, allowing resolution and the disappearance of concerns as people are made aware of the real situation.

Council believes that **consultation** is a cost effective way of approaching potentially disruptive issues. It is aware that not all problems can be solved and that **consultation** is not a cure all process.

The process of consultation can extend from a simple phone call or letter to a program of major meetings and other events. It will be tailored to suit the situation, keeping in mind that it may entail costs of time and money in the short term. In the long term, Council believes appropriate **consultation** will have significant benefits to all parties.

The community must recognise that landowners and other citizens have rights and entitlements which must be honoured.

In the final instance, all members of the community must accept that Council, having considered all possible aspects, has the responsibility to make the decisions it thinks best.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

A draft Public Participation Policy will be presented to Council for consideration. When finalised and adopted it will replace the current Communications Policy.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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Nil.

REPORTS FROM THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES

6 [TCS-CM] Correspondence - Response to Policy

ORIGIN:

Corporate Governance

SUMMARY OF REPORT:

Due to increased incoming correspondence including the greater utilisation of email it is prudent to update the Correspondence – Response to Policy to ensure that the Policy reflects current business principles. The proposed amended policy will remove any ambiguity that exists with the current version.

Version 1.3 of the Correspondence – Response to Policy is therefore reported to Council for consideration.

RECOMMENDATION:

That the Correspondence – Response to Policy version 1.3 be adopted.

REPORT:

As per summary.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Update existing Correspondence - Response to Policy version 1.2.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. Correspondence - Response to Policy version 1.3 (ECM 2053664)
-

7 [TCS-CM] Council Committees - Community Membership

ORIGIN:

Corporate Governance

SUMMARY OF REPORT:

Expressions of interest for community representation on various council committees have been invited and this report seeks endorsement for membership of specific committees.

RECOMMENDATION:

That Council confirms the community membership of the:

1. Community Cultural Development Committee as:

Michael Lill, Max Boyd AM, Ian Holston, Judith Sutton, Glenda Nalder PhD, Barb Carroll, Joan Daniels, Diane Wilder and Phil Villiers

2. Sports Advisory Committee as:

Rob Nienhuis, Merv Edwards, Linda Threlfo, Joanne Watters and Robert Gent

3. Tweed River Regional Museum Advisory Committee as:

Bronwyn Thrathen, Sandra Flannery, Max Boyd AM, Gary Fidler, Fay O'Keeffe and Lesley Mye

4. Banora Point Community Centre Advisory Committee as:

Pat Tate and Robert Gent

REPORT:

Expressions of interest for community representation on various committees have now been invited on two separate occasions. This expression of interest process has unfortunately not been successful in attaining any nominations for the Koala Beach Wildlife and Habitat Management Committee.

Nominations for the five community members on the **Community Cultural Development Committee** have been received from the following community members:

Michael Lill, Max Boyd AM, Ian Holston, Judith Sutton, Glenda Nalder PhD, Barb Carroll, Joan Daniels, Diane Wilder and Phil Villiers

These nominations even though they are in excess of the requirements are recommended for appointment to the committee, which will provide increased input from a much broader area of community representation.

Nominations for the nine community members on the **Sports Advisory Committee** have been received from the following community members:

Rob Nienhuis, Merv Edwards, Linda Threlfo, Joanne Watters and Robert Gent

These nominations are recommended for appointment to the committee.

Nominations for the five community members on the **Tweed River Regional Museum Advisory Committee** have been received from the following community members:

Bronwyn Thrathen, Sandra Flannery, Max Boyd AM, Gary Fidler, Fay O'Keeffe and Lesley Mye (representing the Aboriginal Advisory Committee)

These nominations are recommended for appointment to the committee.

Nominations for the **Banora Point Community Centre Advisory Committee** have been received from the following community members:

Pat Tate and Robert Gent

These nominations are recommended for appointment to the committee.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER/FURTHER INFORMATION:

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8 [TCS-CM] Recording of Council Meetings

ORIGIN:

Director Technology & Corporate Services

SUMMARY OF REPORT:

At Council's meeting of 17 February 2009, Cr Dot Holdom asked:

"Could the General Manager please investigate and report back to Council on the following:

1. *The costs of implementing full audio recording of the formal Council meetings.*
2. *The costs of implementing full audio and visual recording of the formal Council meetings.*
3. *The legal requirements for safe storage of the recordings and legal requirements for disposal.*
4. *Any legal requirements concerning recording and any other associated matters."*

This report addresses the costs of installing and implementing full audio and visual recording of Council meetings as well as the legal requirements for the safe storage of the recordings and other associated matters.

The officer's recommendation is that audio or full video recording of formal council meetings are not required as appropriate minute taking is undertaken during council and committee meetings whereby any discrepancies or anomalies can be identified and corrected by those in attendance at the meeting. The minutes of meetings are publicly available through Council's website.

RECOMMENDATION:

That Council does not proceed with:

1. **Audio Recording of formal Council Meetings; and**
2. **Visual Recording of formal Council Meetings.**

REPORT:

In response to Cr Holdom's Notice of Motion, the following is advised.

1. The costs of implementing full audio recording of the formal Council meetings.

A refurbishment of the Council Chambers in 2008 incorporated the installation of equipment to enable the audio recording of Council meetings. Council has not proceeded with the audio recording of council meetings as it is not permitted under Council's Code of Meeting Practice.

Council is free to resolve that audio recording of council meetings occur. The recordings could be used to assist with minute preparation, be retained for archival purposes or made publicly available as an attachment from Council's internet site. The cost of implementing audio recording is negligible as the ability to do so is currently in place. The only recurring costs would be the storage of the audio file and any responses to access of information. If Council does resolve this way, an amendment to Council's Code of Meeting Practice will be required.

It is the officers recommendation that the recording of council meetings is not required as Council's decisions and voting are electronically displayed on the screens in the Council Chambers during the meetings, enabling any anomalies to be identified by councillors or staff at the time of recording the minutes. This is the most efficient way to ensure minutes are recorded accurately and in a timely manner.

2. The costs of implementing full audio and visual recording of the formal Council meetings.

Two quotations have been received for implementing full audio and visual recording of council meetings in the amount of \$5,478 and \$14, 278 respectively.

The cheapest solution is based on three analogue cameras, whilst the more expensive solution is based on full IP cameras which may have the added advantage at a later date of being able to stream / web cast meeting procedures.

The recurring cost of retaining and storing audio visual records of council meetings will be significantly more than full audio recording, particularly in terms of disk storage.

It is the officers recommendation not to proceed with full audio and visual recording of council meetings, however if Council were of the mind to do so, it would be the officers recommendation that Council first implement full audio recording which would be available currently with amendments to Council's Code of Meeting Practice, at minimal cost. If Council felt this was successful, it could then resolve at a later time to implement full audio and visual recording and provide and vote the appropriate funds as part of the budget process or quarterly budget review.

An amendment to Council's Code of Meeting Practice would also be required to implement full audio and visual recording.

3. The legal requirements for safe storage of the recordings and legal requirements for disposal.

Storage of recordings or video would be done in accordance with the State Records Act. This would be achieved through registration in Council's electronic content management system which forms part of Council's daily back up routine. With respect to the disposal of this record, an important issue to be determined by Council is the length of time that the audio or visual recordings will be stored. Council is legally required to retain the audio and visual recording records for a period of three months under the State Records Act 1998 (GDA 10). During this time, public access by way of Access to Information and Freedom of Information requests would be applicable. Council would be free to resolve to extend the length of time that the recordings are retained, if desired.

4. Any legal requirements concerning recording and any other associated matters.

The principal legal requirement is for Council to determine the purpose of implementing a procedure for audio or visual recording of open council meetings. Such purposes could be:

- Facilitating the accurate preparation of the official written Minutes;
- Ensuring decisions are accurately recorded; and
- Resolving any disagreement over the accuracy of the Minutes prior to the confirmation of the Minutes.

Currently Council's decisions and voting are electronically displayed on the screens in the Council Chamber during the meetings, enabling any discrepancy to be resolved.

Other legal requirements to be considered are:

- The requirements to amend Council's Code of Meeting Practice and develop a new Council Policy to manage the recording of council meetings.
 - Notification of recording of council meeting minutes must be publicly made, including:
 - On the Meeting Agenda;
 - Notices on entry doors and within the Council Chambers;
 - On the lectern;
 - On any meeting hand outs; and
 - Verbally at the commencement of each open meeting by the Chairperson.
 - Appropriate access to council officers and councillors.
-

- Managing access by members of the Public, with disclosure only permissible by way of a court order or legislation such as Freedom of Information Act 1989.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Local Government Act 1993
Local Government (General) Regulations 2005
State Records Act 1998
Freedom of Information Act 1989

No funds have been allocated in the 2008/2009 Budget or 2009/2010 Draft Budget for the installation of Visual Recording equipment in the Council Chambers.

POLICY IMPLICATIONS:

Council's Code of Meeting Practice
Development of a new Council Policy – Recording of Council and Committee Meetings

UNDER SEPARATE COVER/FURTHER INFORMATION:

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1. **Confidential Attachment** - Quote for audio visual equipment in the Council Chambers (ECM 2052156)
-

9 [TSC-CM] 2009/2012 Draft Management Plan Incorporating Council's Seven Year Infrastructure and Services Plan; 2009/2010 Draft Budget, Revenue Policy and Fees and Charges

ORIGIN:

Director Technology and Corporate Services

SUMMARY OF REPORT:

Council's 2009/2012 Draft Management Plan was placed on exhibition for public comment, from Thursday 23 April 2009 to Friday 22 May 2009, in accordance with section 405 of the Local Government Act 1993. The Draft Management Plan includes Council's Strategic and Operating Objectives for 2009/2012 and contains Council's 2009/2010 Draft Budget including year-four of the 7 Year Infrastructure and Services Plan together with the Draft Revenue Policy and Draft Fees and Charges.

The Minister for Local Government under section 508A of the Local Government Act 1993, determined in August 2007 that the percentage by which Tweed Shire Council may increase its General Purpose income for 2009/2010 is 9.5% above that for 2008/2009, which includes year-four of Council's 7 Year Infrastructure and Services Plan.

Council invited submissions from the public on the Draft Management Plan and associated documents by placing advertisements in the Tweed Link and local news paper.

Twenty-three organisations within the Shire representing chambers of commerce, ratepayers, community groups and residents associations were invited to attend a Community Consultation Meeting on 5 May 2009 with twenty of these organisations attending. Each organisation was required to provide a written submission on the Draft Management Plan documents.

The Draft Management Plan documents were also placed on public exhibition at the Murwillumbah and Tweed Heads Civic Centres as well as libraries at Murwillumbah, Tweed Heads and Kingscliff. The documents were also accessible from Council's webpage.

All submissions received by Council during the public exhibition period are summarised in the body of this report.

RECOMMENDATION:

That:-

1. **Council's 2009/2012 Draft Management Plan incorporating the 2009/2010 Draft Budget based on a 9.5% increase in general income above that for 2008/2009 be adopted.**
2. **The 2009/2010 Draft Revenue Policy and the 2009/2010 Draft Fees and Charges be adopted with amendment to:**
 - a. **The amount of interest chargeable on overdue rates, charges and sundry debts being 9% as opposed to the advertised 10%;**
 - b. **The sewerage rate charge (\$501) – Business Assessments. Add to dot point 3, end of first paragraph, the wording “*by the discharge factor and calculated on an individual water meter basis*”**
3. **Council reports to the Department of Local Government on any significant variations from its 7 Year Infrastructure and Services Plan as contained in the instrument under section 508A(1) and 548(3)(a) of the Local Government Act 1993 dated 15 August 2007.**
4. **A review of the fee structure of Construction Certificate and Building Inspection fees be undertaken in conjunction with the quarterly budget review as at September 2009, and a report on the fee structure be presented to Council.**

REPORT:

MANAGEMENT PLAN

The Draft Management Plan details Council's vision, mission and core values. The Operating component of the plan identifies a limited number of key principal projects that Council will undertake over the next three-years to benefit the community and progress Council towards meeting its long-term strategic goals.

The Draft Budget, Draft Revenue Policy and Draft Fees and Charges documents detail the means in which Council intends to resource its operational plans for the next year.

The Draft Management Plan contains the means by which Council intends to performance monitor its progress in achieving outcomes detailed in the Draft Management Plan. Outcomes achieved against performance targets are reported quarterly to Council by the General Manager. Council must also report annually to the community in the Annual Report.

Meeting community needs is a major challenge facing Council. This year's Draft Management Plan has a focus on delivering year four of the 7 Year Infrastructure and Services Plan plus suitable provisions of funding to ensure essential services and assets are maintained at increased levels.

Council's 2009/2012 Draft Management Plan was placed on exhibition for public comment for 28 days from Thursday 23 April 2009 to Friday 22 May 2009. The Minister for Local Government under section 508A of the Local Government Act 1993 determined in August 2007 that the percentage by which Tweed Shire Council may increase its General Purpose income for 2009/2010 is 9.5% above that for 2008/2009.

VARIATION TO GENERAL INCOME FOR 2009/2010 TO 2012/2013

Council, as part of the special variation application, is required to report to the Department of Local Government on all variations from the original 7 Year Infrastructure and Services Plan as contained in the instrument under section 508A(1) and 548(3)(a) of the Local Government Act 1993 dated 15 August 2007. The information to be provided to the Department will be based on variations to the 7 Year Infrastructure and Services Plan which have been reported through the normal quarterly budget and management plan review process.

PUBLIC CONSULTATION

In accordance with section 405 of the Local Government Act 1993, the Draft Management Plan was placed on exhibition for public display from Thursday 23 April 2009 to Friday 22 May 2009.

The public consultation process sought submissions from ratepayers and the community in general. Copies of the Draft Management Plan documents were placed on public exhibition and accessible at the Tweed and Murwillumbah Civic Centres, libraries and available from Council's internet site. The Draft Management Plan was advertised in the *Tweed Daily* newspaper and the *Tweed Link* edition 611, 5 May 2009.

Twenty-three organisations within the Shire representing chambers of commerce, ratepayers, community groups and residents associations were invited to attend a Community Consultation Meeting on 5 May 2009. The following twenty organisations attended with three providing an apology:

- Tweed Chamber of Commerce,
- Murwillumbah & District Chamber of Commerce,
- Tweed District Residents & Ratepayers Association,
- Banora Point & District Residents Association,
- Kingscliff Ratepayers & Progress Association,
- Murwillumbah Ratepayers & Residents Association,
- Cabarita Beach / Bogangar Residents Association,
- Uki Village & District Residents Association,
- Cudgen Progress Association,
- Tyalgum District Community Association,
- Chinderah & District Residents Association,
- Tweed Landcare Incorporated,
- Terranora Residents Committee / Friends of Terranora,
- Fingal Heads Community Association,
- Caldera Environmental Centre Inc.,
- Mooball & District Moovers,
- Pottsville Community Association Inc.,
- Hastings Point Residents Group & Progress Association,
- Pottsville Beach Business Association Chamber of Commerce and
- Kingscliff & District Chamber of Commerce.

Apologies were provided by

- Casuarina Residents,
- Tweed Economic Development Corporation and
- Tweed Tourism.

All organisations invited to attend the community consultation session were encouraged to provide a written submission on the Draft Management Plan documents.

Council also initiated two workshops with Tweed Tourism on 14 April and 12 May 2009 to gather comment on the Draft Management Plan documents.

PUBLIC COMMENTS RECEIVED

Submissions received from the public consultation process totalled 168, 12 from community groups and 15 from individuals and businesses as well as 141 form letters relating to koala management.

Submissions related to the Draft Management Plan documents are summarised as follows:

Draft Management Plan Submissions Received

Following is a summary of discussion from the May 5 Consultation Sessions.

The Director Technology and Corporate Services provided the following notes:-

1 Tweed Chamber of Commerce

Community Consultation representation by Mr Michael Tree with the following issues raised:

- Questions relating to Banora Sewerage Treatment Plant.
- Road network - Kirkwood Road issue with timeframe being 2015 and not sooner.
- S94 contribution questions about the State imposed cap.
- Request additional funds for Tweed Tourism. Currently advertising with a budget less than Centro Nerang.
- Supports differential rate levy in Tweed to support tourism - Murwillumbah Chamber also indicated they would also support levy for tourism.

Supplementary comments provided by Council on support for Tweed Tourism.

"Tweed Tourism – Funding and Lease Arrangement" Item 04; Business Paper item agenda, Operations Committee Meeting 28 May 2009 the report recommends an additional \$100,000 in funding matched dollar for dollar by the tourism industry.

2 Murwillumbah & District Chamber of Commerce

Community Consultation representation by Toni Zuschke with the following issues raised:

- Funds for river wall into town.
- Aesthetic beautification for entry into town (Request \$100,000 to be allocated for planning).
- Parking - offsite - shuttle - infrastructure planning for sudden increase in population.

3 Tweed District Residents & Ratepayers Association

Community Consultation representation by Ronni Hoskisson with the following issues raised:

- Playground equipment upgrade - question as to where spent - works program. Fencing of playground - Kennedy Drive.
- Disappointment LEP Stage 2 not until 2011.
- Question about asset maintenance in the 7 Year Infrastructure and Services Plan.
- Generally happy with what Council is proposing.
- Would like more footpaths in Tweed Shire.

Supplementary comments provided by Council on footpath works.

2009/2010 budget for footpaths was reduced due to increased costs elsewhere in budget.

4 Banora Point & District Residents Association Pat Tate

Community Consultation representation by Pat Tate with the following issues raised:

- Community Transport - Use of community bus - how to organise? Council's Aged and Disability Officer will provide details. (Note: Council only garages the bus)
- Seeking ability to utilise the bus for Community Drug Action Team.

5 Kingscliff Ratepayers & Progress Association

Community Consultation representation by Don McAllister with the following issues raised:

- Seawall.
- Climate Change impact to Planning Policy - budget allocations.
- Questions about quantity invested to Speed on Tweed and Rally Australia.

6 Murwillumbah Ratepayers & Residents Association

Community Consultation representation by Diane Eriksen and Pamela Margieson with the following issues raised:

- Jack Evans Boat Harbour expenditure - not happy with the amount of money being spent in one locality. Like money saved there and spent on toilet facilities.
- Concern with library accommodation - seeks larger building size out of threat of flood level e.g. larger library on top of car park.
- Against BMX bike track being closed down.
- Seeks long term planning for second bridge at Murwillumbah to deal with traffic.
- Coastline Management Plan priority.

7 Cabarita Beach / Bogangar Residents Association

Community Consultation representation by Cath Lynch with the following issues raised:

- Found Management Plan document difficult in identifying what was to be spent on Cabarita. (Staff explained Works Program to follow in July if budget adopted).
- Proposed use of Kingscliff Foreshore land for use of Rally believes there are more appropriate locations.
- Need for more affordable aged care facilities in the Shire.
- Wants footpath on Cabarita Road.

Supplementary comments provided by Council on footpath works.

Some footpath work is scheduled for Cabarita Road.

8 Uki Village & District Residents Association

Community Consultation representation by Phillip Carr with the following issues raised:

- Greater focus on construction of footpaths and cycleways.
- Rural Village Development Program - would like to see it re-instituted.
- Cycleways which are accessible by people with disabilities.
- Greater expenditure for people with disabilities when compared to Group 5 and state average.
- W3C validation compliant website for people with disabilities.
- Seeking re-instatement of Access Committee.

9 Cudgen Progress Association

Community Consultation representation by Carl Redmond with the following issues raised:

- Traffic volume - believes movements are approximately 500/day Crescent Street. Concerned with speed through Crescent Street. Seeks traffic calming devices such as in New Brighton on Crescent Street.
- Urban development - seeks buffers / barriers to be provided within the footprint of the urban development area not by the farmers.
- Council look to provide trail bike track - solve problem of riding in unauthorised areas.
- Call for additional 'beach access permits' and call for additional hours of 4pm-8pm.
- Greater Ranger presence to patrol off beach area of beaches after hours.

10 Tyalgum District Community Association

Community Consultation representation by Bob McDonald with the following issues raised:

- Tyalgum Creek Road - sealing of bus route.
- P32 - Questions about riparian rehabilitation and need for upgraded Treatment Plant.
- Request meeting with Deputy Mayor and Director Technology & Corporate Services to consider change format of reporting of the Draft Management Plan back to community.
- Bat colony in Tyalgum - quality of water.
- Tennis court upgraded at Tyalgum village.
- Believes documents difficult to read/follow.

11 Chinderah & District Residents Association

Community Consultation representation by Felicia Cecil with the following issues raised:

- Chinderah roundabout.
- Riparian Zones - flood plains. Council cyclical drainage program - clean out mosquitoes.

12 Tweed Landcare Incorporated

Community Consultation representation by Clare Masters with the following issues raised:

- Would like more money directed from land infrastructure to soft infrastructure - the natural environment.
- Consider implementation of an Environmental Levy.
- Budget for implementation of Recreational Boating Strategy - what will money be spent on? S94 funded - Plan doesn't exist.

Supplementary comments provided by Council on the Recreational Boating Strategy.

In drafting the 7 Year Infrastructure Services Plan it was proposed to prepare a Recreational Boating Strategy (RBS) that would detail future requirements for public boating facilities. The funding for this work was to be derived from a section 94 plan. The RBS has not been adopted by Council and the Section 94 Plan has not been prepared due to ongoing changes in Section 94 developer charges legislation and in particular the \$20,000 cap. This item will therefore be removed from the budget at the September 2009 Quarterly Budget Review.

13 Terranora Residents Committee / Friends of Terranora

Community Consultation representation by Greg Burgis with the following issues raised

- Believes the Management Plan is clear and easy to follow.
- Tourist routes, scenic drives and lookouts. Seeks visual assessment of all development applications on scenic routes (Terranora Road). Commercial potential at lookouts (cafes).
- Visual impact net positive on any development on scenic routes.
- Suggested phased conditions for cottage/farm gate industries to facilitate tourism and small business potential.
- Criteria around scenic drive - Terranora Road.
- Lookout (East Mahers Lane, West Fraser Drive).
- Terranora Hall site (sell and fund lookout site).
- Blocks opposite Norfolk Pines in Azura Estate, adjacent to Terranora Road - requested investigation into its feasibility as a lookout site comprising a café and restaurant to become a tourist destination.
- Walkways - linked. Mahers Lane to park in Azure through Norfolk Pines back to Sunnycrest Avenue.
- Rock retaining wall - beautification for tourism.
- Shire streetscapes - more money should be put to this in budget.
- Garden - Area E consideration - 10 hectare wild park - must see destination. Very large trees.

14 Fingal Heads Community Association

Community Consultation representation by Evan Matthews with the following issues raised

- Thought documents easy to read and follow, particularly disclosure of cost centres.
- Concern with cost of rates of some residents who inherited property and their ability to stay there and continue to pay rates.
- Fingal Head Community Association willing to assist with tree planting, landscaping, etc.
- Suggestion to consider toilets like Burleigh Heads.

15 Caldera Environmental Centre Inc

Community Consultation representation by Eric Batton and Sam Dawson with the following issues raised:

- Congratulated Council on this process (refer attached submission).

16 Mooball & District Moovers

Community Consultation representation by Sue Pirlo with the following issues raised:

- Questions relating to Sewerage (size & capacity) and footpath extension to Gumnuts.

17 Pottsville Community Association

Community Consultation representation by Terry O'Toole with the following issues raised:

- Cudgera Creek - Hastings Point/Pottsville (refer p29 Draft Management Plan).
- Mapping of Riparian Zones, p29, \$5 million.
- Pottsville locality - not happy with architects plan - prefers Council to allocate \$176,000 to Mapping of Riparian Zones.
- Pottsville Dunloe Sands - seeks something in the Budget - Mooball Road/Cudgera Creek Road to freeway.

18 Hastings Point Residents Group & Progress Association

Community Consultation representation by Julie Boyd with the following issues raised:

- Council develop a policy of 100m Riparian Zone around creeks.
- Would like to see more Rangers on after hours and weekends - peak times.

19 Pottsville Beach Business Assoc. Chamber of Commerce

Community Consultation representation by Tania Murdock with the following issues raised:

- Sewerage at Hastings - capacity.
- Street lights upgrade - Pottsville.
- Questions relating to Link Road, Koala Beach link road.
- Annual Festival or Event for Pottsville - seeking direction/assistance to facilitate/establish.
- SES - what is / was planned?

Responsible Officer Comment

Update on Pottsville SES shed reported to 28 May 2009 Operations Committee Meeting.

20 Kingscliff & District Chamber of Commerce

Community Consultation representation by Allan McIntosh with the following issues raised:

- Seeks Developer consultation / forums.
- Parking in Kingscliff.
- Road access to Kingscliff & Salt from Tweed Coast Road. Seeking re-establishment of 1927 proposed road to Seaside City.

Summary of Written Submissions Received from Community Organisation Groups

1 Caldera Environmental Centre Inc

Two written submission were received from the Caldera Environmental Centre. Following is a summary of issues raised and Council's Responsible Officer's reply:

- The submission expressed that Council's actions should work to achieve Ecological Sustainable Development objectives established in the Draft Management Plan documents.

Responsible Officer Comments

Council continues to work to improve its performance under the principles of Ecological Sustainable Development as evidenced by the establishment of the Natural Resource Management Section and its continued commitment to these programs. Council looks for opportunities to improve its day-to-day activities in pursuit of long term sustainability.

- That a post-environmental audit of major developments is needed to assess the full impacts of developments.

Responsible Officer Comments

Council already imposes detailed conditions of development consent for most major developments which necessitate the reporting, and, in some cases, ongoing monitoring of environmental impacts such as noise, air quality, stormwater quality, and waste treatment. The State Government's BASIX certification also requires pre and post DA assessment of compliance with energy, landscaping and water efficiency targets for new residential and shop-top housing developments.

- Beautification funding of \$6m with the main proportion on the Jack Evans project, the submission asks if this money could be better spent elsewhere.

Responsible Officer Comments

The concept plan for this project was exhibited in April - June 2006. The response from the public was generally favourable and Council formally adopted the concept in August 2006. Since then Council has engaged consultants to prepare final design plans. The provision of funds in the 09/10 budget will enable this important project, which has had a long term commitment by Council to proceed.

- The submission requests more funding for sustainable and environmental activities. Current funding for these activities is similar to that for parks.

Responsible Officer Comments

Council's proposed 09/10 budget excluding grants totals \$ 2,027,000 for Environmental and Sustainability programs. In the past several years this program has increased significantly demonstrating Council's ongoing and increasing commitment to environmental management.

- The submission includes a perception that Council is not adhering to certain aspects of its strategic Vision stating that development such as Nightcap Village and Repco Rally erodes Tweeds unique character. The submission includes the desire that contracts be awarded locally. The submission calls for greater transparency in decision making processes.

Responsible Officer Comments

The Corporate Relations Strategy addresses community consultation. The ability to award contracts selectively is not possible under the Local Government Tendering Regulations

- There was a general objection to the Repco Rally and the cumulative affects of the Koala Beach and the Rally.

Responsible Officer Comments

A development application is soon to be submitted for the Repco World Rally proposal. Council is obliged to assess these issues prior to determining the DA. The Rally and objections do not form part of the Management Plan process.

- Seeking a population growth cap on the Tweed and control of urbanisation.

Responsible Officer Comments

The Federal Government's immigration policies and the State Government's planning requirements for accommodating increased population in regional areas, necessitate that Tweed Council provides for well planned, sustainable development in its area. Such development has been responsibly planned through the adoption of Council's Tweed Futures Strategic Plan and Tweed Urban and Employment Lands Release Strategy 2009.

- The submission stated that existing residents should not financially subsidise new developments.

Responsible Officer Comments

New developments are funded through developer section 94 contributions and not funded by existing residents. The State Governments \$20,000 cap may place pressure upon future funding.

- Concerns on the sustainability of urban development's including weed issues and climate change.

Responsible Officer Comments

Tweed Council adopted the Tweed Shire Coastline Management Plan to address coastal erosion hazards including impact from sea level rise. Hazard lines are to be updated with new information within the next 2-years.

Council works in partnership with other stakeholders to address weed management control and eradication.

Council has a number of projects funded for environmental education and awareness; refer to Council's State of the Environment Report. Council has employed a Sustainability and Climate Change Officer to work on these issues.

Council funds a sustainable agricultural program and is proposing to develop a sustainable agricultural strategy as part of the current Draft Management Plan.

2 Banora Point & District Residents Association

A written submission was received from the Banora Point & District Residents Association. The submission questioned the activity to develop a regional car pooling program at a cost of \$80,000 and requested details and the anticipated long-term benefits of this program.

Responsible Officer Comments

The regional car pooling initiative is a grant funded project that aims to reduce the numbers of cars on the road and therefore carbon emissions. The key to the project is a web based online booking system whereby car owners and commuters can be linked. This initiative is supported by numerous councils and organisations on the north coast.

- The Association submitted that new employment positions were created and questioned why these positions were not sourced from existing Council staff.

Responsible Officer Comments

The above positions are additional resources required to support the implementation of projects in the 7 Year Infrastructure and Services Plan.

- The submission questioned the Recreation Boating Strategy implementation activity and requested what this activity involves.

Responsible Officer Comments

In drafting the 7 Year Infrastructure Services Plan it was proposed to prepare a Recreational Boating Strategy (RBS) that would detail future requirements for public boating facilities. The funding for this work was to be derived from a section 94 plan. The RBS has not been adopted by Council and the Section 94 Plan has not been prepared due to ongoing changes in Section 94 developer charges legislation and in particular the \$20,000 cap. This item will therefore be removed from the budget at the September 2009 Quarterly Budget Review.

- The submission lodged an objection to the 9.5% rates increase and viewed the increase along with increases in statutory and ancillary charges would imposed further hardship to the already stretched family budgets.

Responsible Officer Comments

Objections such as these have been previously considered by Council, most recently at the March 2009 meeting.

- The submission asks what is the hire fee for the Banora Point Community Centre for permanent occupiers of rooms and if no fee why?

Responsible Officer Comments

Draft fees and charges 2009 -2010. Item 101 Hall Hire – Banora Point Community Centre. Council has an agreement in perpetuity to provide free office space to North Coast Area Health. Therefore these fees are not applicable.

3 Terranora Residents Committee / Friends of Terranora,

A written submission was received from the Terranora Residents Committee, Friends of Terranora. Following is a summary of issues raised and Council's Responsible Officer's reply:

The Committee expressed a view that Council should undertake an investigation into a larger network of Tourist / Scenic routes. The submission viewed it desirable that any future development along these Tourist / Scenic routes should be subject to visual impacts conditions and suggested small cottage/farm gate industries are established to facilitate tourism and small business potential along these routes. Terranora Road would be viewed as a scenic route.

- To facilitate the Tourist /Scenic routes the submission requested a new lookout in Terranora and provided two possible locations - (i) East Maher's Lane and West Fraser Drive, (ii) blocks opposite the Norfolk Pines in Azura Estate advance to Terranora Road. It was suggested that attached enterprises are created to create a sense of destination. Furthermore, to fund the lookouts they suggested the two current lookouts at the south end of Fraser Drive and also opposite the reservoir should be closed as they have no views and little attractiveness.

Responsible Officer Comments

Council considered a report on lookouts and Scenic Routes at the meeting held 8 May 2007. No action to extend Scenic Routes or establishment of additional lookouts was taken.

- A Memorial walk through Norfolk pines along Nassau Avenue with the possibility of the Committee funding name plaques on each Norfolk pine tree.

- Protection of the Norfolk pines via a scenic walking path from Mathers Lane to the park in Azure estate, link from Terranora Road to Sunnycrest Avenue.

Responsible Officer Comments

1. *The Norfolk Pines in Nassau Avenue already have a path through them. There are no objections to the proposal for the Association to place plaques on trees along the path.*
2. *A pathway along Terranora Road to Sunnycrest Ave is not supported. Pathways are normally provided in urban areas. The suggested pathway is to service the Azure Estate a "rural residential zone". Full urban facilities are not normally provided for rural residential zones as these areas are characterised by large lots where residents have the trade off of a semi rural lifestyle that is not accompanied by full urban services.*

- The Committee expressed the need for Council to fund a 1 metre rock wall opposite the Terranora General Store for beautification.

Responsible Officer Comments

Extension of rock retaining wall at Country Energy site with Council funds cannot be justified as it will not enhance Council's adjacent asset.

- The Committee expressed the view that Council could sell the old hall site to fund new lookout site.

Responsible Officer Comments

The subject site is Lot/DP - 1//719950 Address - 602 Terranora Road was originally planned to be sold. However Council subsequently negotiated with Country Energy to lay power underground across the site - at community request. The purchaser interested in the site subsequently withdrew because of the underground lines. The underground line across the site has therefore limited the sites suitability for sale. Any proposal to sell the site will require a feasibility study to determine its suitability for proposed use.

- The Committee expressed that an Arboreal Wild Garden, minimum of 10 ha and walking trail focusing on large or rare trees from around the world at Area E.

Responsible Officer Comments

This concept would need to be taken up with Area E Landholders Group.

- The Committee expressed the view that most streetscaping has low visual appeal with a need to enhance planning as well as education on how to care for street trees.

Responsible Officer Comments

Council's Landscape Architect is currently enhancing Council's Subdivision landscaping specification.

- The Committee requests greater regular roadside mowing and removal of street rubbish along with education programmes to reduce litter and increase pride.
- The Committee is suggesting a fee to be introduced to owners who do not clean up graffiti within 3 days with profits of this fee to go into education. The submission also asks why Tweed Shire does not have a graffiti hot-line like the Gold Coast City Council.

Responsible Officer Comments

1. *Funds are limited for roadside maintenance including mowing.*
2. *Funds are not available in the budget for the provision of a graffiti hot-line like the Gold Coast City Council.*

4 Fingal Heads Community Association

A written submission was received from the Fingal Heads Community Association. Following is a summary of issues raised and Council's Responsible Officer's reply:

- The Association expressed the need to upgrade park land and facilities on the northern side of the old boat harbour. The Association submitted the need to:
 - Renew picnic shelter and barbecues,
 - Renovate public toilets with aboriginal art works on the outside,
 - Natural barriers to park lands to prevent car hooning,
 - Bollards to prevent boat launching in the old boat harbour and
 - Overnight camping in parklands to be policed.

Responsible Officer Comments

Funds are available in the 2009/2010 budget for replacement of picnic shelters, barbeques, bins and bollards at Fingal Boat Harbour and Fingal foreshore.

- The Association expressed the need to upgrade the old quarry entrance and parking area to reduce unwanted and dangerous behaviours.

Responsible Officer Comments

No funding is available in the current budget.

- The Association expressed the need for new picnic facilities and a viewing platform at the southern end of the beach area park.

Responsible Officer Comments

No funding is available in the current budget.

- The Association expressed that construction of the last small section of Fingal Road near Lagoon Road with traffic calming provisions and a 40/50 km speed limit is needed.

Responsible Officer Comments

This section of road has been included in a forward budget.

- The Association expressed the need for a future boat launching facility closer to the existing main road.

Responsible Officer Comments

Possible future boat launching facilities in Fingal Head – There are currently no adopted plans of Council to provide additional boat launching facilities at Fingal. Your comments on the status quo remaining are noted.

- The Association expressed the Jack Evans Boat Harbour project is costly to rate payers and too 'hard edged'. The Association expressed the view that the current grassed water edge is an asset and should be kept with cycles kept from the edge with background paths.

Responsible Officer Comments

The new design of Jack Evans Boat Harbour has a softer and more accessible edge than the current ceramic "sea bee" revetment.

5 Pottsville Community Association Inc.

A written submission was received from the Pottsville Community Association. Following is a summary of issues raised and Council's Responsible Officer's reply:

- The Association question the Ambrose Brown Park activity funding of \$500,000 and target date of June 2010 does this expenditure include the new shelter shed item?
- Previously Council stated the completion target was this project was September 2009. The Association questions which is correct?

Responsible Officer Comments

1. *The new shed is not part of the current contract, however, a new shed will be constructed prior to the old kiosk being demolished.*

2. *Tenders are currently out for construction of the park. Anticipated completion is September 2009.*

- The Association questioned the Riparian Rehabilitation Projects funding of \$300,000. The Association expressed \$1,000,000 is needed to stop pollution from the Seabreeze estate alone?
- The Association expressed concern for the water quality of Cudgera Creek with expressed views that land zoning through which this creek flows is of major concern to water quality. The Association express that no funding for a riparian zone study for this area is present?

Responsible Officer Comments

It is not current Council policy to acquire riparian zones by purchase from landowners. Council requires dedication of riparian zones if they constitute part of an urban subdivision. This is set out in DCP Part A5 and is consistent with Council's estuary policies, for a 50m riparian zone. In the Cudgera Creek Catchment, a 1.5km long 50m wide riparian zone has been dedicated and revegetated by Metricon, the developers of the Seabreeze Estate. This is by far the largest stretch of riparian zone that has been dedicated by a developer in Tweed Shire.

- The Association expressed concerned over extra truck traffic on Mooball Road and Cudgera Creek Road as a result of the Dunloe Sands Project. The Association asks how much funding is set aside for road repairs and future allowance for the 26 year project.

Responsible Officer Comments

This is a 3A application to be determined by the Minister for Planning. The Minister should levy the proponent for any damages to Council roads arising from the development, and this will form part of the conditions of development.

6 Hastings Point Residents Group & Progress Association

A written submission was received Hastings Point Residents Group & Progress Association. Following is a summary of issues raised and Council's Responsible Officer's reply:

- The Association expressed \$300,000 is insufficient funding for restoration and repurchase of riparian zones around Cudgera and Christie's Creeks.

Responsible Officer Comments

A nominal allocation of \$300,000 is provided for Riparian Rehabilitation Under the budget for the Lower Tweed Management Plan which is overseen by the Tweed River Committee. In the 7 Year Infrastructure and Services Plan the Tweed Coastal Committee has received an increased annual allocation from \$50,000 per year to \$180,000 per year. This amount does not include State government grants. Council has not in the past purchased riparian zones. Riparian zones can be dedicated to Council though the subdivision process.

- The Association supports the continued immediate development of the Hastings Point DCP and Locality Plan.

Responsible Officer Comments

Following an earlier expression of interest process, the firm Ruker and Associates was recently engaged to prepare a new Locality Plan and DCP for the entire Hastings Point area. Following an initial briefing of Councillors in upcoming weeks, it is expected that the consultant will commence initial community consultation to inform the preparation of the new draft plans for public exhibition, and subsequent consideration by Council.

- The Association called for council to take a proactive and preventative approach in decision-making and to adopt ESD Principles in preference to enabling short term individual economic gain.

Responsible Officer Comments

ESD is an important objective of the Local Government Act and Environmental Planning and Assessment Act, which provides the framework and guidance for all major strategic planning and development assessment for Tweed Council.

- The Association viewed damage to the estuaries and impact of over-development as a negative cost to Hastings Point. The Association viewed a blanket strategy of 100 metre riparian zones for most residential development is needed to mitigate any impending climate threats around waterways.

Responsible Officer Comments

The Tweed Coast Estuary Plan nominates a suitable riparian buffer of 50 metres. This plan was developed following extensive consultation with the community. As a result of extensive community input, legal judgements, and Council consideration of new interim planning controls and development applications in the Hastings Point area, Council and its staff are now more aware of the sensitive environment in this area, and is in a better position to closely analyse and assess the impacts of emerging developments.

- The Association supported a food and visual based tourism industry modelled from world's best practices to create economic benefit for the shire. The Association viewed subgroups could be created from the broader community to develop creative proposals.

Responsible Officer Comments

The North Coast Council's led by Lismore and including Tweed received a funding grant under the Environmental Trust program for the Northern Rivers Food Connect project. This project will aim to enhance the capacity of local government to support regional food production and distribution by:

1. Improving connections between the regions growers, retailers, consumers and waste managers.
2. Supporting the development of urban agriculture.

3. Promoting food literacy and healthy lifestyles within the community.

- The Association expressed Council's compliance staff are doing a good job but felt productivity gains could be achieved. The Association suggested all developments submit notice of major construction traffic movements to Council, police and RTA enabling close monitoring, and reducing major noise and other inconvenience such as public safety. Right now, construction traffic is a major source of noise and speed pollution in the community.

Responsible Officer Comments

Council currently requires the assessment of potential traffic impacts for new developments, including the frequency of trips and means of access during construction, and applies appropriate conditions of development consent. The monitoring of illegal traffic activity is primarily the responsibility of NSW Police and the RTA. Council is primarily responsible to ensure that construction activity is being carried out in accordance with conditions of development consent. These current arrangements are considered to be the most practical way of managing the impacts of traffic movement of a construction site. The development proponent may choose to be more pro-active and develop a communications protocol with surrounding residents during construction, to keep them informed of the main traffic movements relating to the site.

- The Association expressed flexibility of ranger's hours to accommodate holiday 'hotspots' times and weekends. Possible creations of a community watch system to support ranger activities.

Responsible Officer Comments

Council currently has a limited budget allocated to Ranger activities on weekends and public holidays. The Rangers already target areas of expected unlawful activity during these periods.

- The Association expressed Hastings Point supported the creation of Tourism Scenic Routes between Cabarita Beach and Pottsville down to Wooyung to be considered as such for a 'Villages Trail' and that the Terranora concept of wild gardens be integrated into a family friendly tourism strategy along this route.

Responsible Officer Comments

Council takes note of the suggestion but unfortunately this program is not a current priority. The suggestion has been provided to Tweed Tourism for their consideration.

- The Association asked whether resources are available to source and prepare, or assist preparation of grants for both Council and Community organisations.

Responsible Officer Comments

Council have some staff which can assist and guide in the preparation of grant applications however their resources are limited to programmes and projects that fit within Council's priorities.

7 Hastings Point Residents Association and Pottsville Community Association Joint Response

A joint written submission was received for the Hastings Point and Pottsville Community Associations. Following is a summary of issues raised and Council's Responsible Officer replies:

- The joint submission requests \$300,000 for Riparian Rehabilitation Projects is insufficient and at least \$1,000,000 is estimated to be needed.

Responsible Officer Comments

Council and the Tweed Coastal Committee are not aware of “riparian rehabilitation projects” that would warrant the expenditure of \$1,000,000 on Cudgera Creek in the next financial year.

- The joint submission requests a new funding item be added for “Purchase of Riparian Zones along the banks of Cudgera Creek. Professional Mapping of the actual Riparian Zones and the associated Floodplains. Repairing and rectifying damage to these Riparian Zones”, the joint submission estimates \$5,000,000 is required.

Responsible Officer Comments

In the 7 Year Infrastructure and Services Plan the Tweed Coastal Committee has received an increased annual allocation from \$50,000 per year to \$180,000 per year. This amount does not include State government grants. Council has not in the past purchased riparian zones. Riparian zones can be dedicated to Council through the subdivision process. The Tweed Coastal Committee has prepared a comprehensive Estuary Management Plan which drives investment in maintaining and enhancing the coastal creeks. Council has provided funds through the current budget to meet the requirements of this plan.

- That Priority Projects of Pottsville Locality Plan and Hastings Point Locality Plan to remove elements of the Urban Release Strategy, The Employment Lands Strategy and the Retail Strategy from both plans as these apply anyway.
- These two Priority Projects are removed from the Draft Management Plan as it is unlikely they will be completed in the budget term.
- The Hastings Point residents are deeply concerned on the impacts of the Employment Lands Strategy and possible pollution to the Cudgera Creek headwaters.

Additional Response Provided by Responsible Officer of Council

It is considered that the allocated amounts in the Draft Management Plan to the Pottsville and Hastings Point Locality Plans/DCPs, needs to be clarified that the sum of \$110,000 for the Pottsville Locality Plan/DCP is actually the original allocated budget from Council’s 7 Year Plan, and \$100,000 of this allocation has already been expended for the services of an external planning consultancy firm who prepared earlier draft documents. Council officers have since undertaken further strategic investigations, and will soon submit a report to Council recommending the public exhibition of a revised Draft Locality Plan and DCP, based on the consultant’s earlier investigations. Therefore, the reference to the available budget in 2009/10 for this project should have read \$10,000, not \$110,000. The officers apologise for any confusion created by this error.

In terms of the Hastings Point Locality Plan/DCP, following an earlier expression of interest process, the firm Ruker and Associates was recently engaged to prepare these new documents. Following an initial briefing of Councillors in upcoming weeks, it is expected that the consultant will commence initial community consultation to inform the preparation of the new draft plans for public exhibition, and subsequent adoption by Council. The allocated sum of \$66,000 in the Draft Management Plan will be expended on the consultant’s fees for this project.

In regard to the other comments, Council has previously adopted the Tweed Retail Strategy and Tweed Urban and Employment Lands Release Strategy 2009, which provides broad strategic direction to both the preparation of the revised draft Pottsville and Hastings Point plans.

8 Uki Village & District Residents Association

A written submission was received from the Uki Village & District Residents Association. Following is a summary of issues raised and Council's Responsible Officer's reply:

- Seeking re-instatement of Access Committee and more funding to be provided for the Disability Action Plan. The submission stresses that Tweed has one of the highest rates of disabilities in NSW yet with the lowest dollars per capita spent.

Responsible Officer Comments

Terms of Reference for the Disability Access Advisory Committee are currently being prepared and positions will be advertised in the near future.

9 Chinderah & District Residents Association

A written submission was received from the Chinderah and District Residents Association. Following is a summary of issues raised and Council's Responsible Officer reply:

- Funding set aside for second dam at Byrill Creek

Responsible Officer Comments

Council is currently undertaking a study to determine the best option for long term water supply for the Tweed. This study is due for completion in late 2009. Council has a 30 year financial plan which includes an allowance for the provision of some form of water supply augmentation.

- \$300,000 for riparian rehabilitation is inadequate

Responsible Officer Comments

Council allocates over \$2,000,000 from its budget towards environmental management. Of this money over \$400,000 is allocated to specific improvements for the Tweed River. Council is aware of the condition of the river bank at Chinderah and the Tweed River Committee has listed this area as a proposed project.

- Drainage works no allocation for Chinderah where the drains are continually filled with weeds, reeds, rubbish which is unsightly, non productive for flood mitigation and an infested with mosquitoes and cane toads.

Responsible Officer Comments

Funding is only available for drain cleaning on a need basis. Between cleaning cycles ponding can increase. Drains to north of Wommin Bay Road discharge into Roads and Transport Authority lands which can become partially blocked over time.

- Rates, Council obligation should be to provide for basic necessities first. Chinderah is yet to have its street kerb and guttered.

Responsible Officer Comments

It is not generally effective to retro fit kerb and gutter to unfilled, flat floodplain areas such as Chinderah. In such areas it is difficult to achieve the minimum gradients necessary to make kerb and gutter flow without substantial ponding. Also kerb and gutter will not be effective in the absence of underground drainage. Underground drainage is very difficult to install in Chinderah as there is very little natural gradient (which means stormwater only flows at low velocities and larger than normal pipes are necessary to achieve appropriate conveyance capacity), ground water levels are high and soils are very sandy. This requires expensive spear point dewatering and trench support systems to excavate trenches to place underground stormwater pipes. Nevertheless, Council has in the last financial year, provided a backbone underground stormwater drainage system in Wommin Bay Road, Chinderah. This underground drainage system supports an above ground network of grassed surface swale drains. This combination of underground pipe drainage and above ground swale drains provides the most appropriate stormwater drainage system for areas such as Chinderah.

- Youth programs, insufficient funding has been directed towards youth programs.

Responsible Officer Comments

The 7 Year Infrastructure and Services Plan provides for the employment of a full time youth development officer within Council. This position has been in place for 3 years and has engaged with our young community and directed many projects that work with youth to identify, understand and manage their issues.

In addition Council has recently provided facilities for the young including the South Tweed Skate park and Tweed Regional Aquatic Centre both of which are actively used by the community.

10 Murwillumbah Ratepayers and Residents Association

A written submission was received from the Murwillumbah Ratepayers and Residents Association. Following is a summary of issues raised and Council's Responsible Officer reply:

- Considered the Jack Evans Boat Harbour proposed expenditure to be extraordinarily large for a small recreational area.

Responsible Officer Comments

The concept plan for this project was exhibited in April - June 2006. The response from the public was generally favourable and Council formally adopted the concept in August 2006. Since then Council has engaged consultants to prepare final design plans. The provision of funds in the 09/10 budget will enable this important project that has had a long term commitment by Council to proceed.

- Park maintenance and the Murwillumbah BMX track

Responsible Officer Comments

1. Maintenance for the park land is desirable, but currently there is insufficient income for more parks maintenance.

2. Public submission and comment on the BMX track in Murwillumbah closed on Friday May 22. Council will review all submissions received before making a determination on the future of the site.

- Repco Rally Australia

Responsible Officer Comments

A development application is soon to be submitted for the Repco World Rally proposal. Council is obliged to assess all issues prior to determining the development.

- Clarrie Hall Dam upgrade

Responsible Officer Comments

Upgrade of Clarrie Hall Dam: Council has undertaken detailed risk assessments to determine the extent of the risk associated with the potential for Clarrie Hall Dam to overtop in an extreme wet weather event. This assessment has shown that the risk is extremely unlikely and if the Dam is to be raised to increase capacity in the next 10 years then the spillway upgrade could be undertaken at the same time. Council will determine its position in this regard towards the end of 2009.

- Support for Team Koala urging Council to provide funding and technical support.

Responsible Officer Comments

Council is applying for a grant through the NSW Environmental Trust to develop the Koala Management Plan as identified in the Tweed Vegetation Management Strategy, 2004. The application is supported by in-kind and cash contributions through the Biodiversity Program of Council and is being developed in partnership with Team Koala, Friends of the Koala and other stakeholders. Should this application be unsuccessful, Council will pursue other funding options.

- Joshua Street, Queensland Road Link, disgusted that this important part of the strategic traffic plan is not being progressed to remove vehicles from Byangum Road and Wollumbin Street.

Responsible Officer Comments

This road link is being progressed, by works being carried out by Metricon (the Barnby St Developer) and Council is proceeding with preliminary designs and preliminary property issues associated with other sections of this link.

11 Cabarita Beach/Bogangar Residents Association Inc

A written submission was received from the Cabarita Beach/Bogangar Association. Following is a summary of issues raised and Council's Responsible Officer reply:

- The submission expressed a difficulty in understanding the presentation of Council's Draft Management Plan documents in that the information presented is obscure in wording and sparse in detail and lacked specific detail about localities.

Responsible Officer Comments

Tweed Shire Council will be reviewing the presentation and content of its community reporting documents during the implementation of the NSW Local Government mandatory Planning and Reporting Framework.

12 Tweed Economic Development Corporation

A written submission was received from the Tweed Economic Development Corporation. Following is a summary of issues raised and Council's Responsible Officer reply:

- Critical of the presentation of the Draft Management Plan documents lacking facts on economic and social challenges faced by Council,
- Critical of Council's Vision statement making no reference to economic stability.

Responsible Officer Comments

Council will review all community reporting during the implementation of the mandatory NSW Local Government Planning and Reporting Framework. As part of this process Council is obligated to undertake comprehensive community consultation in the development of a 10 year long term strategic plan which will include a Vision Statement.

- Critical that the Economic Action Plan fails to put forward economic fact to justify the significance of planning for future economic stability.

Responsible Officer Comments

Raising the awareness and promoting the Tweed economy is a function that is allocated to TEDC by Council in the form of a funding and performance agreement, which is current to July 2010.

- Funding of \$400,000 to support Economic Development and Tourism Economic Marketing and Promotion in the 7 Year Infrastructure and Services Plan.

Responsible Officer Comments

The 7 year plan amount for economic development of \$400,000 is principally allocated to maintaining existing commitment to TEDC and Tweed Tourism. These allocations are specifically identified in Council's draft Budget and based on the level of income raised from the business rate.

- Implications for Strategic Planning with traditional planning lacking a focus on economic and associated shire-wide economic stability.

Responsible Officer Comments

Over the last five years, Tweed Council has invested substantial financial and staff resources into both broader strategic investigations (including the recently adopted Tweed Urban and Employment Land Release Strategy 2009) and a program of review of its development approvals processes, in an effort to provide Tweed residents and business proprietors with a clear and well reasoned planning policy platform and more streamlined improved assessment systems, which will guide investment and development decisions over the next 25 years, and facilitate the housing and employment generation needed to sustain the Tweed's expected population increase.

Council officers have also worked closely with the TEDC in the preparation of these investigations and new processes. Council will continue this partnership with the TEDC through the upcoming projects, new Draft DCPs for Rural Tourism and Telecommunications Infrastructure in Master Planned Estates, which were identified in the Planning Reform Unit's 2009/2010 Work Program, which was reported to Council's Planning Committee Meeting of 21 April 2009.

In response to that part of the TEDC's submission, "TEDC would like to recommend that the 2010 budget give serious consideration to including funding to accommodate resources (man power) for the specific purposes of developing planning policies to encourage job generating investment attraction through the specific master planned approach and other planning initiatives highlighted above", Council will continue to seek improvements into the efficiency of its rezoning and development assessment processes. However, it should be noted that Council also needs to balance its planning resources against the increasing demands of the NSW State Government's Planning Reforms, which requires councils to adapt their planning systems to a much broader range of requirements, beyond just economic development matters. Furthermore,

Council's planning actions are restricted by the current legislative requirements of the State Government, and local government probity procedures relating to Council's relationship with development proponents. Planning actions are also only one component of a range of measures needed to promote economic development initiatives.

Nonetheless, Councillors and Council staff have repeatedly expressed their interest and general support for the concept of master planned estates, and they will continue to work closely with the TEDC in the advancement of this project.

Draft Management Plan General Submissions Received

Submission 1

- The need to provide for provisions in the 2009/2010 budget for safety fences to be erected for children's playgrounds.

Responsible Officer Comments

Council resolved to undertake an audit of all the Shire's playgrounds in December 2006. An independent risk management company has been instructed to commence the audit. The 2009/2010 Draft Budget has no allocation for the provision of safety fences for children's playgrounds. Council intends to make a decision on this matter following the results of the independent audit.

Submission 2

- The submission expressed a difficulty in understanding the Draft Management Plan and that the plan lack details on how Council proposes to accomplish the principle activities.

Responsible Officer Comments

Council will review the format and presentation of its community reporting during the implementation of the mandatory NSW Local Government Planning and Reporting Framework.

- The submission requested more funding for park maintenance and upgrading of
 - BMX track and repairs in Murwillumbah,
 - Fence the playground in Knox Park Murwillumbah,
 - Upgrade of the Clarrie Hall Dam,
 - Roundabouts on Byangum Road at William and Wollumbin Streets,
 - A quick and efficient outcome for Jack Evans Boat Harbour,
 - River and Coastal monitoring to continue,
 - A DCP for residential areas of Murwillumbah,
 - Ecologically sustainable developments to be approved.

Responsible Officer Comments

- *BMX track repairs: Public submission and comment on the BMX track in Murwillumbah closed on Friday May 22. Council will review all submissions received before making a determination on the future of the site. Maintenance for the park land is desirable, but currently there is insufficient income for more parks maintenance.*
- *Playground Fencing: Council resolved to undertake an audit of all the Shire's playgrounds in December 2006 and an independent audit has commenced. Council will make a decision following the audit outcomes.*

- *Upgrade of Clarrie Hall Dam: Council has undertaken detailed risk assessments to determine the extent of the risk associated with the potential for Clarrie Hall Dam to overtop in an extreme wet weather event. This assessment has shown that the risk is extremely unlikely and if the Dam is to be raised to increase capacity in the next 10 years then the spillway upgrade could be undertaken at the same time. Council will determine its position in this regard towards the end of 2009.*
- *Roundabouts on Byangum Road: These works are in a current forward program.*
- *Quick and efficient outcomes for Jack Evans Boat Harbour: The project is expected to commence works in August/ September 2009.*
- *River and Coastal Monitoring: Council has been continually monitoring water quality in the Tweed River and catchment since 1988 and in the Coastal Creeks since 1999. Better methods of assessing ecological health of the waterways has been trialled in Terranora and Cobaki Broadwater systems and if successful, will be expanded to all waterways in the Tweed Catchment.*
- *DCP for residential Murwillumbah: The Murwillumbah Town Centre DCP was adopted by Council in 2008, however components of the plan were deferred pending further investigations in relation to flooding. Upon completion of Council's Floodplain Risk Management Study, the deferred areas of the Plan will be reviewed.*
- *Approval of Ecologically sustainable developments: Council continues to work to improve its performance under the principles of Ecological Sustainable Development as evidenced by the establishment of the Natural Resource Management Section and its continued commitment to these programs. Council looks for opportunities to improve its day to day activities in pursuit of long term sustainability.*

Submission 3

- *Objection to cemetery fees increase, specifically for child burials.*
- *Suggestion that "vases" offered at cemetery could be made more attractive with gold/ silver paints.*

Responsible Officer Comments

- 1. Fees represent actual costs and aim to cover maintenance in perpetuity. If the fees do not reflect these costs, the cost to undertake burials and maintain the cemeteries will continue to be an increasing burden on general rates.*
- 2. Cemetery customers have the option to purchase more attractive vases.*

Submission 4

- *That the 2009/2010 Draft Budget provides funding provisions for a Koala Plan of Management for the Tweed Shire for the Tweed Shire.*

Submission 5 was received as a 'form letter' supported by 141 signatures

- *That the 2009/2010 Draft Budget make funding provisions for*
 - *A Koala Management Plan for the Tweed Coast,*
 - *A Koala Habitat Study for the Tweed Coast to monitor and inform the community on Koala management issues and recovery progress and*
 - *The submission noted Council's responsibility to protect Koala populations under SEPP 44 Koala Habitat Protection and Threatened Species Conservation Act 1995.*

Responsible Officer Comments to Submissions 4 and 5

Council is applying for a grant through the NSW Environmental Trust to develop the Koala Management Plan as identified in the Tweed Vegetation Management Strategy, 2004. The application is supported by in-kind and cash contributions through the Biodiversity Program of Council and is being developed in partnership with Team Koala, Friends of the Koala and other stakeholders. Should this application be unsuccessful, Council will pursue other funding options.

Council is currently near completion of a model Biodiversity Development Control Plan which contains specific development control measures to maintain koala habitat within specified areas.

Submission 6

- Consideration is given for a special flat rate that is borne equally by all ratepayers as opposed to the current system of levying special rate increases.

Responsible Officer Comments

Tweed Shire Council is bound by Legislation which establishes the parameters for the levying of rates in the Shire. A request for a flat rate payable by all ratepayers is not possible under Council's current rating structure.

Submission 7

- Funding for a Koala Recovery Plan.

Responsible Officer Comments

Specifically, Council is applying for a grant through the NSW Environmental Trust to develop the Koala Management Plan as identified in the Tweed Vegetation Management Strategy, 2004. The application is supported by in-kind and cash contributions through the Biodiversity Program of Council and is being developed in partnership with Team Koala, Friends of the Koala and other stakeholders.

- Biodiversity loss through development on forested land and housing estates in already built-up area.

Responsible Officer Comments

Council's recently adopted Tweed Urban and Employment Lands Release Strategy 2009 supports a responsible and sustainable approach to accommodate the expected population increase in the Tweed Shire over the next 25 years, by consolidating the bulk of the necessary housing and employment generating development in existing zoned areas and established centres, and only permitting future land releases in those sites identified with least environmental impact.

- Preservation of trees and habitat protection.

Responsible Officer Comments

Enforcing such a law is impractical in terms of the community's general expectations for new development, and the need in appropriate circumstances, outside of protected areas of national parks and environmental conservation zones, to remove vegetation to provide for additional housing and employment demands.

- Measures on roads such as signage and road speed reductions to protect native animals.

Responsible Officer Comments

A report to Council 28 May 2009 is reporting on wildlife signage. There are currently no plans to retro fit road culverts, overpasses, exclusion fences areas where road kill occurs. In new development areas environmental assessments of individual Council works establish whether road culverts, overpasses, exclusion fencing is required. Road speed is the subject of the report to Council 28 May 2009.

- Water quality of streams and enforcement fines for polluters whether residential or industrial.

Responsible Officer Comments

There is currently extensive development standards required to be addressed and assessed in most major redevelopment proposals, as well as compliance mechanisms for polluters of Council's waterways.

- Stop road side spraying and invest in a steam machine to kill weeds.

Responsible Officer Comments

The control of weeds by steam has not yet developed to a degree that would allow replacement of weedicide spraying in the majority of Council applications. Once the technology has advanced to be a proven alternative then it will be evaluated.

- Land zoning and habitat protection in areas like Kings Forest, Cobaki Lakes Extinction of Koala's and other endangered species is ensured.

Responsible Officer Comments

Current planning legislation provides for an extensive assessment of fauna and flora impact issues. Council staff have contributed extensively to the assessment of these issues and submissions to the Department of Planning for both the Kings Forest and Cobaki Lakes Major Projects Concept Plans.

- Biodiversity area in council to study and monitor endangered species with funding at least 10% of the overall budget.

Responsible Officer Comments

A Council restructure in early 2007 saw the creation of the Natural Resources Management section which encompasses the program areas of Waterways, Biodiversity, Coastline, Sustainable Agriculture, Sustainability and Climate Change. These programs are progressing many of the opportunities mentioned in the submission and demonstrate Council's commitment to moving towards sustainable management.

- More bike paths, green initiatives and sustainable options.

Responsible Officer Comments

Council's current planning controls and a mode of assessment requires detailed consideration and provision for sustainable development options.

- Reject environmentally destructive events.

Responsible Officer Comments

A development application is soon to be submitted for the Repco World Rally proposal. Council is obliged to assess these issues prior to determining the DA.

- Population growth strategies.

Responsible Officer Comments

The Federal Government's immigration policies and the State Government's planning requirements for accommodating increased population in regional areas, necessitate that Tweed Council provides for well planned, sustainable development in its area. Such development has been responsibly planned through the adoption of Council's Tweed Futures Strategic Plan and Tweed Urban and Employment Lands Release Strategy 2009.

- Noise pollution and destruction of flora and soil ecosystems from trail bikes and vehicles in rural areas.

Responsible Officer Comments

The use of motorbikes in rural areas, such as farms, for working purposes would cause minimal noise disturbance and the likelihood of banning this type of work related machinery have numerous ramifications. Noise associated problems through the use of motorbikes in rural areas for recreational activities can be dealt with under the Protection of the Environment Operations Act. This Act provides guidelines associated with acceptable noise levels and provides details on how the matter can be regulated.

Simply banning trail bikes is not a solution and has many economic impacts. The use of trail bikes as a commercial venture would be regulated through a DA where the impact of surrounding localities would be taken into account.

- Council needs to permit more than one occupancy per 100 acres in rural areas. Self-sustaining communities with people living simply in affordable dwellings with composting toilets, rainwater tanks, solar and off-the-grid power, organic vegetable gardens, composting, recycling. To solve the accommodation and social problems and also in implementing sustainability of this area instead of more developments contributing to less biodiversity.

Responsible Officer Comments

Both Council and the State Government have long standing and a consistent implementation record of supporting the sustainable objectives of maintaining the minimum size and restrictions on residential development on rural lots, as a means of discouraging the loss of valuable agricultural and food producing land, as well as promoting the urban consolidation practices of major redevelopment in established centres, thereby discouraging the reliance on the use of private motor vehicles.

Submission 8

- That Council consider a Community Development Museum to provide opportunities for individuals to offer their services and volunteer.

Responsible Officer Comments

The direction of Tweed River Regional Museum is explicit in the Museum Strategic Plan, 2004 and associated Memorandum of Understanding – the submission makes a range of suggestions which can be appraised during future museum planning phases.

Submission 9

- That Tweed Shire Council develops a shire-wide Koala Management Plan.
- To protect and secure the long-term future of Koala on the Tweed Coast.
- Formation of a Koala advisory group.

Responsible Officer Comments

Council is applying for a grant through the NSW Environmental Trust to develop the Koala Management Plan as identified in the Tweed Vegetation Management Strategy, 2004. The application is supported by in-kind and cash contributions through the Biodiversity Program of Council and is being developed in partnership with Team Koala, Friends of the Koala and other stakeholders. Should this application be unsuccessful, Council will pursue other funding options.

Council is currently near completion of a model Biodiversity Development Control Plan which contains specific development control measures to maintain koala habitat within specified areas.

Media

Twelve newspaper articles and letters to the editor were published in local print media regarding the 2009/2012 Draft Management Plan.

Conclusion

Considering the Responsible Officers comments it is recommended that Council resolves to adopt the 2009/2012 Draft Management Plan, 2009/2010 Draft Budget and the 2009/2010 Draft Revenue Policy and Draft Fees and Charges, with an amendment to the rate of interest charged on overdue rates and charges.

BUDGET / REVENUE POLICY

Council has the option at this meeting to amend the Draft Management Plan and Budget as well as vary the Fees and Charges.

COUNCIL'S FINANCIAL POSITION (2009/2010) - BUDGET

The 2009/10 Budget as presented is balanced in each fund. If any surplus funds become available from operations during the year, these are applied to increase the level of accumulated funds.

Program Budgeting used in the Plan provides both a financial and management analysis of the individual programs and services offered by Council and in conjunction with the various program objectives and performance measures allows an ongoing review of services related back to the individual program objective. Extensive use of activity based costing is used to support this process.

As part of the analysis of the purpose of the plan a number of objectives were identified in an attempt to determine if, on present trends, there is sufficient revenue to:

- Maintain or expand existing services;
- Replace infrastructure, both existing and future;
- Undertake new projects, in line with Council's strategic direction; and
- Ensure long-term financial sustainability.

The objectives of the 2009/2010 Budget are:-

- To maintain a balanced budget;
- To maximise income from all sources, subject to the stated policies of Council;
- To provide works and services at levels commensurate with budget allocation;

- To restrain expenditure, wherever possible;
- To achieve economy of operation; and
- To optimise the return on funds and investments.

DRAFT BUDGET FOR 2009/2010

General Fund	\$95 million
Water Fund	\$45 million
Sewerage Fund	\$26 million
TOTAL	\$166 million

NEW FEES AND CHARGES FOR 2009/2010

The following new fees and charges were advertised in the Draft Management Plan and/or 2009-2010 Draft Revenue Policy, Fees and Charges.

- Private water suppliers.
 - Annual Registration and inspection is \$155.00.
 - Change of ownership/operator is \$60.00.
- Food Premises Inspection Fee.
 - Annual Administration Fee - small home business is \$60.00.
- Laboratory Testing Fees.
 - Heavy Metals new various charges and Toxin Test is \$65.00.
- Parks & Reserves.
 - Temporary Crown or Community Land Licence is \$145.00 first day and \$80.00 subsequent days.
- Cemetery Fees a new fee structure applies.
- Tweed Regional Aquatic Centre.
 - New Fees including Dive-in Movies and Fitness/Lifestyle Programs.
- Rezoning applications new set of Fees and Charges apply.
- Development Control Plan Preparation of Amendment new set of Fees and Charges apply.

It is proposed that they be adopted with the remainder of the fees and charges:

Public submission received on Fees and Charges**1 Tweed Broadwater Village Pty Ltd**

A written submission was received from the Tweed Broadwater Village Pty Ltd regarding Council's New Non-Residential Sewer Access Charge.

- Objection to the proposed increase in sewer charges as the Village is a residential home park for over 50's and consequently the sewer charge is residential not business.

2 Gary Thorpe

A written submission was received from Mr Gary Thorpe.

- Objection to increase in sewer charge and requested a review of previous charges. The new charge is unacceptable at a time when small business is hurting.

3 Seagull Club, Wayne Kendrigan General Manager

- Objection to the new Non-Residential Sewer Charge.

Responsible Officer Response to the new Non-Residential Sewer Charge

This new charge is proposed in accordance with the NSW governments pricing guidelines. The charge is to differentiate between residential and non residential users of the Sewerage System. Historically the sewerage Access charge has been the same for both types of connections. The pricing guidelines require those non residential users with higher water usage patterns to pay a greater contribution to the cost of maintaining sewerage assets. It is proposed to implement this charge progressively over a period of 3 years.

Council notified its intention to implement this charge in the 2008/2009 Management Plan. A specific report was considered at the Council Meeting of 17 March 2009 and these charges have been subsequently advertised to be effective in the 2009/2010 Management Plan (Revenue Policy).

Following representations from the business community and submissions to the Draft Management Plan, it is now recommended that the calculation methodology of the business assessment for sewer access charge under Section 501 be undertaken to more accurately reflect the quantity of water discharge to sewer and therefore the potential for each business to consume capacity. This is done by including a discharge factor in the process and calculation on an individual water meter basis.

The amendments to what was proposed will now mean that of the 1647 business properties subject to the sewer access charge, approximately 1200 will pay the same as the residential sewer access charge. The majority of the remaining businesses will pay less than what was proposed, with only a small number being charged more. This results in a more fair and equitable outcome for all business properties.

3 Murwillumbah Theatre Company

A written submission was received from the Murwillumbah Theatre Company.

- Amendment of the fees and charges for use of the Auditorium for performances and rehearsals and other uses of the Auditorium.

Responsible Officer Response to the Auditorium Fee Changes

There is no fundamental change in the fees and charges from 08/09 to 09/10 apart from a small percentage increase. The MTC inc has a long term arrangement outside of these fees and charges which will at some stage require review as a separate process.

4 Coastline Building Certification Group Pty Limited

Submission regarding proposed charges for construction certification and building inspection fees, advising that these fees are inadequate, especially when compared to the fees levied by other north coast councils for the same service.

Responsible Officer Response to the Construction Certification and Building Inspection Fees

The fees and charges relating to Construction Certificates and inspection fees is an issue that has been raised previously by the writer in 2001, 2003, 2004, 2005 and 2006.

It should also be noted that a complaint was made by the writer in 1999 to the Australian Competition and Consumer Commission whereby Council's fees and charges were considered and its findings were supportive in favour of Council.

On each occasion the perceived inadequacies were reviewed against Council's statutory obligation to provide an assessment and inspection service as well as exercising a regulatory role. Impacts on local consumers were also considered together with Council's ability to provide a process which allows for a Development Approval, Construction Certificate approval and sewer approval to be dealt with concurrently by the one assessing officer and thereby improving and simplifying its process.

The reduction of income within the Building Services section is directly the result of the current economic downturn with local building approvals, on average, down by approximately 50% which has affected both Council and the private sector.

The fees are set based on the economies of scale in Council's officers being utilised as the Principal Certifying Authority. It is considered that the fees proposed represent the cost for providing the services, however, since the last review to Council was in 2004 it is considered timely that a further review be undertaken. Given Council's requirement to advertise any changes to the Fees and Charges for a period of 28 days to allow for community and industry feedback, it is recommended that no change to the proposed Fees and Charges be made at this time. Council officers will provide a report to Council after reviewing the fee for service structure in detail at the September quarterly budget review.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

In accordance with Section 405 of the Local Government Act 1993, the Draft Management Plan was placed on exhibition for public display from Thursday 23 April 2009 to Friday 22 May 2009.

The Minister for Local Government under Section 508A of the Local Government Act 1993, determined in August 2007 that the percentage by which Tweed Shire Council may increase its General Purpose income for 2009/2010 is 9.5% above that for 2008/2009, which includes year three of Council's 7 Year Infrastructure and Services Plan.

Council, as part of the special variation approval, is required to report to the Department of Local Government on any significant variations from its 7 Year Infrastructure and Services Financial Plan as contained in the instrument under Section 508A(1) and 548(3)(a) of the Local Government Act 1993 dated 15 August 2007.

POLICY IMPLICATIONS:

Nil.

UNDER SEPARATE COVER:

1. Draft 2009/2012 Management Plan (refer to Attachment to meeting held 21 April 2009, DW 2035718 and available on Council's website)
 2. Draft 2009/2010 Budget (refer to Attachment to meeting held 21 April 2009, DW 2027978 and available on Council's website).
 3. Draft 2009/2010 Fees and Charges (refer to Attachment to meeting held 21 April 2009, DW 2035924 and available on Council's website).
 4. Draft 2009/2010 Revenue Policy and Statement (refer to Attachment to meeting held 21 April 2009, DW 2035717 and available on Council's website).
 5. Submissions received from the public consultation process.
-

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

10 Minutes of Sub-Committees/Working Groups for Distribution Only

UNDER SEPARATE COVER:

1. Minutes of the Tweed Coastal Committee Meeting held Wednesday 8 April 2009 (ECM 2031016)
 2. Minutes of the Community Development and Support Expenditure Scheme Committee Meeting held Tuesday 14 April 2009 (ECM 2045426).
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11 [SUB-TRAG] Minutes of the Tweed River Regional Art Gallery Advisory Committee Meeting held Thursday 9 April 2009

Venue:

Tweed River Art Gallery

Time:

5.25pm

Present:

Max Boyd, Margot Anthony, Robyn Dowling, Cr Barry Longland, John Opit, Josie Flett, Anne Schardin.

Apologies:

Mayor Cr Joan van Lieshout, Ray Watson, Shirley Kennedy, Poppy Ottley, Josephine Nugent, Judith Sutton, Susi Muddiman

The committee agreed that Cr Barry Longland should chair the meeting.

Minutes of Previous Meeting:

Moved: Max Boyd

Seconded: Margot Anthony

RESOLVED that the Minutes of the Tweed River Art Gallery Advisory Committee meeting held Thursday 13 November 2008 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

ABC TV Features

Mal Leckie sent an email to advise: My report to the meeting would have been as follows - "Just after our last meeting, a short series of portrait programmes with Bill Leak came on ABC. In my discussions since it seems the portrait programme concept has run its race for the time being and we would be wasting our time trying to get anything up right now. The horse has bolted but we can let the dust settle and perhaps apply our thinking towards an innovative re-invention of the idea at a later date".

General Business:

Max Boyd voiced his disappointment that all the Councillors are unable to access the Gallery Director's reports. Barry Longland said he would look into the matter.

There was some discussion about the AGAC Constitution and it was decided that amendments to the constitution would be put on the agenda for the next meeting. Gallery staff to draft new amendments.

Max Boyd implored the committee members to think of more ways for talented local artists to form closer relationships with the Gallery and how the people of the Tweed can better access their work.

Anne Schardin advised that the Gallery does have a close relationship with many artists as there are 1,588 artists registered on the Gallery's database. In addition artists can apply to stage exhibitions in Macnaughton and Boyd Galleries. The Border Art Prize too enabled all local artists to participate as the work is not selected. Last year 323 artists showcased their talents. The Gallery also hosts professional development seminars from time to time and employs local artists for the workshop program.

Some discussion about Arts Northern Rivers (ANR) - which Council funds along with six other local councils - was held. This body provides professional development and economic opportunities for artists.

Arts Northern Rivers Objects are:

Foster and promote the culture of the region

Foster and encourage Indigenous arts and cultural programs and practice

Promote the arts, and achievement in the arts, to enhance social and economic community development

Encourage an increase in the level of cultural tourism

A book on North Coast Indigenous artists has just been produced by ANR and was perused by the committee.

Art Gallery Director's Report:

Moved: Barry Longland

Seconded: John Opit

RESOLVED that the Art Gallery Director's Report as attached, including thirty two new acquisitions to the Collection, be received and noted.

Some discussion was held regarding comparative attendance figures for 2008 of other regional galleries; Grafton Regional Gallery 41,929, Lismore Regional Gallery 24,360 for 2007, Gold Coast City Art Gallery 44,652, Coffs Harbour Regional Gallery 17,500 compared to Tweed River Art Gallery's 55,309.

Barry Longland asked that staff compile the table to include staff numbers and budgets.

Further discussion was held about the Gallery Budget which will not increase this year and in fact has been reduced.

Moved: Max Boyd

Seconded: Barry Longland

RESOLVED that a recommendation be put to Council to maintain the Gallery budget to at least the 2008/09 allocation as any further cut would seriously jeopardise the Gallery's ability to maintain an acceptable level of service to the community.

RECOMMENDATION:

That Council maintain the Gallery budget to at least the 2008/09 allocation as any further cut would seriously jeopardise the Gallery's ability to maintain an acceptable level of service to the community.

Correspondence:

Nil

Next Meeting:

The next meeting of Tweed River Art Gallery Advisory Committee will be held on Thursday 11 June (instead of 14 May as previously minuted) at 5.15pm.

Further meetings for 2009:

Thursday 13 August 2009

Thursday 12 November 2009

The meeting closed at 6.31pm

DIRECTOR'S COMMENTS:

Art Gallery Director's Report:

The Art Gallery Operation Expenses Budget has increased overall by \$16,000 to allow for additional electricity costs; however there will need to be savings in the order of \$5,700 from other operational areas to cover the full increase in electricity charges.

DIRECTOR'S RECOMMENDATIONS:

That Council receives and notes the Minutes of the Tweed River Art Gallery advisory Committee.

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12 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held 16 April 2009

VENUE:

Mt Warning Meeting Room

TIME:

Commencing at 9.00am

PRESENT:

Committee Members: Cr Kevin Skinner, Mr Mike Baldwin, Roads and Traffic Authority, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed, Snr Constable Paul Green (NSW Police).

Informal: Mr John Zawadzki (Chairman), Mr Ray Clark, Mr Wayne Haayer, Mr Rod Bates, Mr Danny Rose, Ms Judith Finch (Minutes Secretary).

APOLOGIES:

Cr Barry Longland (Deputy Mayor), Mr Thomas George MP, Member for Lismore, Mr Paul Brouwer, Snr Constable Paul Henderson, NSW Police.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 12 March 2009 adopted as a true and accurate record of proceedings of that meeting.

SCHEDULE OF OUTSTANDING RESOLUTIONS

[LTC] Schedule of Outstanding Resolutions

Tweed Valley Way between Condong and Chinderah

ORIGIN:

Planning & Infrastructure

FILE NO: DW1926529; Tweed Valley Way, Condong and Chinderah; Traffic - Safety; Traffic - Committee

SUMMARY OF REPORT:

From Meeting held 11/12/2008 (Item B8)

Request received in relation to traffic safety at night on the Tweed Valley Way between Condong and Chinderah. It has been suggested that "cats eyes" be placed on this stretch of road.

'Cats Eyes' are normally referred to as 'Retroreflective Raised Pavement Markers' or 'RRPM's'. They are used to augment painted lines on the road surface. For Tweed Valley Way a typical installation would be red RRPM's on the left edge line, white or yellow RRPM's on the right edge line or separation/barrier line at a spacing of about 24 metres.

Unfortunately installation of RRPM's comes at a cost together with replacement and need to be considered within budgetary constraints, however centreline RRPM's do exist at all 'painted turn lanes and islands and bends signposted at speeds lower than 100kph.

RECOMMENDATION TO COMMITTEE:

That this be investigated further by Council officers.

RECOMMENDATION TO COUNCIL:

That this be investigated further by Council officers.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

A1 [LTC] Banora Primary School - Pioneer Parade

ORIGIN:

Planning & Infrastructure

FILE NO: 994354; 1994355; 2026429; 2026555; 2026602; Traffic - Committee; School Zones; School - Banora Primary; Pioneer Parade; Terranora Road; Johnson Street; Transport - Bus Services - Stops

SUMMARY OF REPORT:

This was discussed at the Local Traffic Committee meeting held 12 March 2009 and the item is reproduced as follows:-

"Request received for approval to extend the bus parking bays at the Banora Point Primary School.

"I write to request the Tweed Shire Council Traffic Management committee considers approving extending the bus parking bays to between the northern edge of Pioneer Parade to the entrance of the staff car park. This would be in addition to the current bays south of the pedestrian crossing.

This change is requested so as to improve safety and limit congestion after school each day in conjunction with the soon to be completed car drop-off initiative.

It is hoped that this change will clearly identify the specific designated areas: car drop-off, bus collection / drop-off and pedestrian access (along Pioneer Parade north or over the crossing and along Pioneer Parade heading south)."

It is considered that the request is reasonable on the following grounds:-

- 1. It is desirable to have the buses parked on the departure side of the crossing.*
- 2. Encouraging parents to drop off and pick up on site removes the risk of through traffic.*
- 3. This would enable buses to enter and leave the bus bay without being inhibited by queuing traffic.*
- 4. Removes the mix of parent and bus traffic which is in lines with best practice.*

The Committee was concerned about the 'No Right Turn' sign that has been erected immediately inside the car park entrance/exit which will force all vehicles to the north on Pioneer Parade and generally to the east on Johnson Street.

RECOMMENDATION TO COMMITTEE:

That:-

- 1. The existing parent pick up and drop off zone east of the marked crossing on Pioneer Parade adjacent to the Banora Point Primary School be converted to a school bus zone.*
- 2. 'No Parking' signs for school zone times be installed in the new parent parking area of the Banora Point Primary School in the drop off end zone.*

RECOMMENDATION TO COUNCIL:

That

- 1. The existing parent pick up and drop off zone east of the marked crossing on Pioneer Parade adjacent to the Banora Point Primary School be converted to a school bus zone.*
- 2. 'No Parking' signs for school zone times be installed in the new parent parking area of the Banora Point Primary School in the drop off end zone.*

3. *The former bus zone area on Pioneer Parade be monitored for effectiveness for a period of 3 weeks from Monday 16 March 2009 with a view to determine whether it should remain.*
4. *That the Pioneer Parade (Banora Point Primary School) be listed on Outstanding Resolutions for follow up of monitoring.*

*FOR VOTE - Unanimous
PRESENT. DID NOT VOTE - Col Brooks"*

From Meeting Held 16 April 2009:

A meeting between Council officers and Surfside Buslines raised the following comments:-

"Queuing along Pioneer Parade towards Banora Hills Drive into the new parent car park constructed opposite Johnson Street has meant that buses now access the bus bay on Pioneer Parade via Johnson Street. The bus has difficulty using Johnson Street during school zone times as parents park on both sides of the road effectively making it a single lane road. There are double centre lines for approximately 20m from Pioneer Parade that parents regularly park within the 3m. The request is to put up prohibitive signage on both sides of Johnson Street to limit parking during school zone times."

RECOMMENDATION TO COMMITTEE:

That:-

1. "No Parking 8am-9:30am, 2:30pm-4pm, School Days" be installed on the northern side of Johnson Street from Terranora Road to the double centre lines at the Pioneer Road end.
2. Council Rangers be requested to enforce the rule in relation to parking within 3m of an unbroken centre line on Johnson Street.
3. The Banora Point Primary School principal be informed of the above recommendation and be requested to include reference in the school newsletter.

RECOMMENDATION TO COUNCIL:

That

1. "No Parking 8am-9:30am, 2:30pm-4pm, School Days" be installed on the northern side of Johnson Street from Terranora Road to the double centre lines at the Pioneer Road end.
2. "No Stopping" signs be installed on Johnson Street to cover the centre barrier lines.

3. The Banora Point Primary School principal be informed of the above recommendation and be requested to include reference in the school newsletter.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

A2 [LTC] Frances Street, Tweed Heads

ORIGIN:

Planning & Infrastructure

FILE NO: 2021867; Traffic - Committee; Control; Roads - Maintenance; Pollution - Air; Parking - Illegal; Frances Street; Parking Zones

SUMMARY OF REPORT:

Request received in relation to large vehicles parking and or turning at the river end of Frances Street, Tweed Heads (between the intersection of Endeavour Parade / Frances Street and the Tweed River).

The reasons for requesting this are:-

- "1. *This is a purely residential area with many elderly residents driving and walking within the precinct and unaccustomed to handling large vehicles up-close. Accidents will occur.*
2. *The street is quite narrow either side of the median strip and not suitable for large vehicle parking and turning.*
3. *Some buses and trucks leave their engines on which causes diesel fumes to penetrate the nearby units. A definite health hazard. Occasionally drivers have been asked to turn off their engines with the result that the requester has been subjected to abuse.*
4. *The turning area is restricted (particularly when cars are parking in the area) by an electricity pole near the kerb on the southern side which causes many large vehicles to do a three point turn and/or just drive over the median strip. A dangerous exercise in such a confined space.*
5. *These vehicles are churning up the bitumen which has to be repaired frequently.*
6. *These problems will only get worse should the proposed Centro expansion at Bay Street proceed.*

Solutions could be:-

1. *Place signs on the western end of the median strip between the river and Endeavour Parade advising restricted access to large vehicles (similar signs have been erected at the end of Bay Street, Tweed Heads).*
2. *Install bollards at the river end of the median strip to deter large vehicles from entering this area (i.e. restricting their turning ability and saving the median strip from being churned up).*
3. *Install a chicane at the entrance to this section of Frances Street to deter buses and large articulated vehicles from entry. Will need to allow for the rubbish trucks and occasional furniture removal trucks."*

Frances Street is a public road accessible by all types of vehicles. The reasons for restricting access to large vehicles as forwarded by the resident are not considered adequate grounds for prohibiting or restricting heavy vehicle access.

This item moved from Section B3 to A2 of the Minutes.

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That prohibiting bus signage be installed near the Endeavour Parade / Frances Street intersection (river side).

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B1 [LTC] Anzac Day Road Closures

ORIGIN:

Planning & Infrastructure

FILE NO: 1999204; Anzac Day; Civic Centre - Murwillumbah; Tweed District Rescue Squad; Traffic - Control; Traffic - Committee; Road Closures - Temporary; Murwillumbah Street; Proudfoots Lane; Brisbane Street; Commercial Road; Queen Street; Tumbulgum Road

SUMMARY OF REPORT:

Request received for the ANZAC Day Ceremonies to be held at the Murwillumbah Civic Centre at the War Memorial for the Dawn Service at 5:30am and the Main Service at 10:40am.

Road Closures are requested for the March Route and Assembly with marchers assembling at 10:00am, march off at 10:30am and completion at 11:20am as follows:-

- Murwillumbah Street from Queen Street
- Proudfoots Lane from Brisbane Street
- Brisbane Street from Wollumbin Street
- Commercial Road from Wollumbin Street
- Proudfoots Lane from Commercial Road
- Queen Street from Murwillumbah Street
- Tumbulgum Road from Old Ferry Road

RECOMMENDATION TO COMMITTEE:

That road closures for the ANZAC Day assembly and the march on 25 April 2009 be approved subject to standard conditions and Police approval. The affected roads are as follows:-

- Murwillumbah Street from Queen Street
- Proudfoots Lane from Brisbane Street
- Brisbane Street from Wollumbin Street
- Commercial Road from Wollumbin Street
- Proudfoots Lane from Commercial Road
- Queen Street from Murwillumbah Street
- Tumbulgum Road from Old Ferry Road

RECOMMENDATION TO COUNCIL:

That road closures for the ANZAC Day assembly and the march on 25 April 2009 be approved subject to standard conditions and Police approval. The affected roads are as follows:-

- Murwillumbah Street from Queen Street
- Proudfoots Lane from Brisbane Street
- Brisbane Street from Wollumbin Street
- Commercial Road from Wollumbin Street
- Proudfoots Lane from Commercial Road
- Queen Street from Murwillumbah Street
- Tumbulgum Road from Old Ferry Road

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Geoff Provest

B2 [LTC] Botanical Circuit, Banora Point

ORIGIN:

Planning & Infrastructure

FILE NO: 2025761; Botanical Circuit; Traffic - Committee; Speed Zones; Traffic - Control; Safety; Petition

SUMMARY OF REPORT:

Request and petition received in relation to the increase in traffic and vehicles in excess of the 50kph speed limit in Botanical Circuit. The request is:-

"..... find a temporary or permanent solution to slowing down the traffic flow in our section of Botanical Circuit as soon as possible."

Council's traffic data indicates that on 18 September 2008 the 85th percentile speed was 57kph measured outside no. 165 Botanical Circuit.

It was suggested that the speed trailer be put out in any event.

It was recommended that up to date traffic data be obtained for this section of Botanical Circuit.

This item to be listed on Outstanding Resolutions.

RECOMMENDATION TO COMMITTEE:

That:-

1. NSW Police be requested to enforce the speed limit on Botanical Circuit.
2. Council officers place the speed trailer on Botanical Circuit in co-operation with Police activities.

RECOMMENDATION TO COUNCIL:

That the Botanical Circuit item be placed on the list of Outstanding Resolutions.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B3 [LTC] Frances Street, Tweed Heads

This item was moved at the request of the RTA Representative and dealt with under Item A2

B4 [LTC] Coronation Avenue, Pottsville

ORIGIN:
Planning & Infrastructure

FILE NO: 2026753; Traffic - Committee; Coronation Avenue; Pedestrian Crossings;
Safety; Parking - Zones

SUMMARY OF REPORT:

Request received in relation to the car park in front of the pedestrian crossing heading east out of Pottsville in front of the IGA supermarket.

"If people park in this car park even with a car it is very hard to see when children are about to walk out on the crossing."

Council officers conducted a safety audit on the pedestrian crossing and surrounds immediately following installation of the pedestrian crossing and found the crossing and surrounds to be in accordance with relevant standards and guidelines.

Council officers will inspect the site again and report to the Committee.

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That appropriate linemarking be installed immediately adjacent to the western approach to the pedestrian crossing on Coronation Avenue to preclude vehicles parking within 5m of the crossing.

*FOR VOTE - Unanimous
PRESENT. DID NOT VOTE - Col Brooks*

B5 [LTC] Murwillumbah Street, Murwillumbah

ORIGIN:
Planning & Infrastructure

FILE NO: 2008423; Traffic - Committee; Murwillumbah Street; Local Area Traffic
Management; Parking - Zones

SUMMARY OF REPORT:

Request received for the provision of "No Parking" signage in relation to the obstruction of the access laneway by parked vehicles off Murwillumbah Street.

The site will be investigated by Council officers who will report to the Committee.

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That residents who have access to the laneway on Murwillumbah Street be contacted by letter advising of the requirement for clear vehicular access along the access laneway

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Geoff Provest

B6 [LTC] Hastings Point - Traffic Issues

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 1966370; 2030406; Tweed Coast Road; Peninsula Street; Traffic - Committee; Traffic - Safety; Traffic - Speed; Bridges - Cudgera Creek

SUMMARY OF REPORT:

This item was discussed at the LTC meeting held 12 March 2009 and is reproduced as follows:-

"Request received in relation to construction trucks going to and from The Point. It is reported that:-

"Trucks are constantly exceeding the speed limit and the situation is extremely dangerous. This begins at 6am and continues through till 6 or 7pm. The past 2 weeks have been blissful in comparison as the construction traffic had stopped. But for this to be occurring in the height of school holidays is ridiculous in the extreme.

4 - 6 seconds for a fully loaded B-double truck to cross the Hastings Point bridge when the bridge and surrounds are covered by young children and teenagers crossing the road to get to the beach is incredibly dangerous. And they are the slow trucks. We do have video proof.

This week as well as speeding we have had air brake noise and truck horns being blown. Complaints to the builders fall on deaf ears as they claim - quite incorrectly - that they 'can do nothing'.

We have requested that a sign be erected at both ends of the village for trucks to be restricted to 40kph as they were across the Kingscliff bridge.

Also while the erection of a sign showing children in the Peninsula St area has had some minor impact - more is needed.

This is not a reasonable situation and we request that Council intervene. It's not an acceptable situation for oversized developments to be approved and residents told they simply have to accept the disruption to their lives and the risks to their safety."

Council's records indicate that within the week ending 27 August 2008, the vehicle volume 50 metres north of Hastings Point Bridge on Tweed Coast Road was 5,396 vehicles per day with an 85 percentile speed of 61kph. The 85 percentile speed of Class 1 to 3 vehicles (cars and mini vans) was 61kph while the 85 percentile speed of Class 4 - 12 vehicles (trucks) was 57kph. Trucks represented 4.4% of total vehicular traffic.

The Committee considered that truck movements have possibly decreased since the Christmas holiday season. The Committee noted that Police enforcement has been, and is being conducted in this area on a regular basis.

RECOMMENDATION TO COMMITTEE:

For the consideration of the Committee.

RECOMMENDATION TO COUNCIL:

That no action be taken however Council officers conduct further speed and volume counts near the Hastings Point Bridge for further review.

**FOR VOTE - Unanimous
PRESENT. DID NOT VOTE - Col Brooks"**

For meeting held 16/4/09:

Council officers have conducted further traffic counts just north of the Hastings Point Bridge on Tweed Coast Road. The data collected the week ending 2 April 2009 is as follows:-

- 85th percentile speed = 62kph
- Average Daily Traffic = 6,237 vehicles per day
- Percentage of heavy vehicles = 0.9%
- 85th percentile speed of cars and small vans = 62kph
- 85th percentile speed of trucks = 59kph

A further email was tabled in relation to this item (ECM 2030406).

The NSW Police Representative advised that Tweed Coast Road is regularly policed.

RECOMMENDATION TO COMMITTEE:

That this report be noted.

RECOMMENDATION TO COUNCIL:

That this report be noted and that Council officers consider placing Council's speed trailer on Tweed Coast Road in the vicinity of the Creek Street / Tweed Coast Road intersection.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B7 [LTC] Eungella - School Speed Restriction

ORIGIN:

Planning & Infrastructure

FILE NO: 2023065; Traffic - Committee; School Zones; Traffic - Safety; Tyalgum Road

SUMMARY OF REPORT:

Request received in relation to 40kph speed zones at schools.

"At Eungella the school is actually off the road, across the bridge over a river and about a kilometre away from the main Tyalgum Road. There are never any children alighting anywhere near the main road, or visible from the road, there are no bus stops on or near the road, no pedestrian crossing, footpaths or other. Most of the children attendees reside on the property and a few others arrive by vehicle which turns off the Tyalgum Road, crosses a bridge over the Rous River, then travels about a kilometre to the school to deliver the children; safety concerns would indicate the speed zone should be near the school on the internal main road at the front of the actual school area where the children are active and in need of a safety zone."

The school premises are located a few hundred metres from Tyalgum Road.

The Roads & Traffic Authority of NSW Representative advised that every school has a 'School Zone'.

RECOMMENDATION TO COMMITTEE:

That this matter be referred to the Roads & Traffic Authority of NSW.

RECOMMENDATION TO COUNCIL:

That this matter be referred to the Roads & Traffic Authority of NSW.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Geoff Provest

B8 [LTC] Dobbys Crescent and Terranora Road, Terranora

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2020571; Dobbys Crescent; Terranora Road; Parkes Lane; Traffic - Committee; Newspaper Article; Pollution - Noise; Speed Zones; Local Area Traffic Management

SUMMARY OF REPORT:

Request received in relation to the speed and noise of traffic on Terranora Road at the intersection of Dobbys Crescent.

Terranora and many of the residents in Parkes Lane that back onto the stretch of Terranora Rd., passing behind our homes. This area is a substantial cutting and magnifies the truck noise in particular the quarry trucks with full loads and some are doubles.

We ask you to consider slowing the traffic to 50kph prior to the intersection of Dobbys Cresc, and Terranora Rd., which is very dangerous even with the mirror to get out, and even more dangerous when not wide enough for traffic to pass on the inside and if it strikes the stopped vehicles as the traffic hurtles around the bend they will push the vehicle into the path of upcoming traffic.

And additionally we ask you for a sign requesting the trucks to not use this type of braking in the residential areas.....".

Council traffic data taken during the week ending 12 February 2009 just west of Fraser Drive on Terranora Road is as follows:-

- Average daily traffic = 6,683 vehicles per day
- 85th percentile speed = 69kph
- Percentage of heavy vehicles = 3.3%

Council's accident records (2003 to 2007) show 4 motor vehicle accidents on Terranora Road between Fraser Drive and Dobbys Crescent; one head-on collision and the remainder involving losing control of a vehicle and veering off the carriageway. The stopping sight distance at an intersection for a speed of 69kph and a driver reaction time of 1.5 seconds is 70 metres. The existing sight distance at the Terranora Road - Dobbys Crescent intersection will be measured by Council officers and reported to the meeting.

As the number of heavy vehicles is low (about 220 vehicles per day), it is considered that braking of truck vehicles is rare and signage requesting to prevent this not warranted. Further discussion on this issue suggested that at the rear of No. 22 Dobbys Crescent a quite steep section of Terranora Road exists which promotes the use of compression braking.

Council officers made the following measurements at the intersection of Dobbys Crescent and Terranora Road:-

Sight distance to the right = 80m
Sight distance to the left is greater than 80m
Lane widths on Terranora Road 4.5m

Sight distances are therefore satisfactory.

RECOMMENDATION TO COMMITTEE:

That no action be taken and the resident be advised of the reasons as stated in this report.

RECOMMENDATION TO COUNCIL:

That advisory signage requesting limiting compression brake noise be installed on the downhill section of Terranora Road near 22 Dobbys Crescent, Terranora.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B9 [LTC] Speeds - Koala Beach

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2020571; Koala Beach Estate; Traffic - Committee; Speed Zones; Local Area Traffic Management; Safety

SUMMARY OF REPORT:

Request received in relation to excessive vehicle speeds on roads within Koala Beach. Speed needs to be reduced by using more speed humps or extra signage.

Council's traffic data taken during the week ending 13 February 2008 west of the Primary School on Cudgera Avenue is as follows:-

- Average daily traffic = 1,822 vpd
- 85th percentile speed = 50kph
- % heavy vehicles = 0.4%

Council's accident records (2003 - 2007) show no accidents on Cudgera Avenue or within the Koala Beach Estate.

Due to the low traffic volumes, relatively low 85th percentile speed and no accident record, it is considered the issues raised do not justify expenditure of funds for speed humps or signage.

RECOMMENDATION TO COMMITTEE:

That no action be taken and resident be advised of the reasons as stated in this report.

RECOMMENDATION TO COUNCIL:

That Council officers further investigate Koala Beach Estate for the provision of further 40kph signage and stencils.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

B10 [LTC] RTA Guide to the Delegation to Councils for the Regulation of Traffic

ORIGIN:

Planning & Infrastructure

FILE NO: 2019691; 2019692; Traffic - Committee; RTA - Meetings

SUMMARY OF REPORT:

Col Brooks left the meeting.

A guide to the Delegation to Councils for the Regulation of Traffic - Version 1.3 issued March 2009 (including the operation of Traffic Committees) has been received by Council.

A copy of the guide is provided to each Local Traffic Committee representative for information. It should be noted that the new guide has extra administrative processes that need to be performed which may impede on the turnaround time between Local Traffic Committee meetings and the provision of Minutes to Council.

The Committee noted that B-Double items will form a separate Agenda to Local Traffic Committee meetings.

RECOMMENDATION TO COMMITTEE:

That the guide to the Delegation to Councils for the Regulation of Traffic - Version 1.3 issued March 2009 (including the operation of Traffic Committees) be received and noted.

RECOMMENDATION TO COUNCIL:

That:-

1. The guide to the Delegation to Councils for the Regulation of Traffic - Version 1.3 issued March 2009 (including the operation of Traffic Committees) be received and noted.

2. The Roads & Traffic Authority of NSW Representative provide clarification on requiring concurrence of all LTC members to the LTC minutes prior to being presented to the elected Council.

FOR VOTE - Unanimous

ABSENT - Col Brooks

B11 [LTC] Biala Special School Charity Ride

ORIGIN:

Planning & Infrastructure

FILE NO: 2007877; Charities; Bicycle Matters; Traffic - Committee; Kyogle Road; Tyalgum Road; Murwillumbah Road; Wollumbin Street; Carraboi Terrace; Tyalgum Creek Road; Coolman Street; Limpinwood Road; Zara Road; Numinbah Road; Queensland Road; Wharf Street; Tweed Valley Way

SUMMARY OF REPORT:

Request received for use of Tweed Shire Council roads on day 3 of the Biala Special School Charity Ride on 22 June 2009 on:-

- Kyogle Road
- Tyalgum Road
- Murwillumbah Road
- Wollumbin Street
- Carraboi Terrace
- Tyalgum Creek Road
- Coolman Street
- Limpinwood Road
- Zara Road
- Numinbah Road
- Queensland Road
- Wharf Street
- Tweed Valley Way

RECOMMENDATION TO COMMITTEE:

That Council has no objections to the Charity Ride and Police approval be sought.

RECOMMENDATION TO COUNCIL:

That the Committee has no objections to the Charity Ride subject to Police approval being obtained.

FOR VOTE - Unanimous

DID NOT VOTE - Col Brooks (absent), Geoff Provest

B12 [LTC] Cudgen Road Traffic Lights

ORIGIN:

Planning & Infrastructure

FILE NO: 2001418; Traffic - Linemarking; Lights; Safety; Traffic Committee; Cudgen Road

SUMMARY OF REPORT:

Request received as follows:-

"For linemarking on all approaches to the lights to indicate:-

- *The right hand lane is for turning right and for proceeding straight ahead;*
- *The centre lane is for going straight ahead*
- *The left lanes be marked for turning left"*

The Kingscliff Ratepayers and Progress Assoc Inc has advised that:-

*"that KRPA write to TSC to request that direction arrows be painted in the road at the Cudgen lights intersection as the lack of direction arrows permits dangerous driving practices at that intersection.**When travelling from Chinderah to Casuarina Beach there is through traffic in both lanes. What is not seen is that the vehicles turning left from Kingscliff to drive south need to merge into the left lane just past the lights and then three lanes need to merge into one lane. The road markings indicating that the 3 lanes must merge to one are over the rise in the road and cannot be seen from the traffic lights."**The KRPA also advised that drivers westbound on Cudgen Road are turning right from the left lane in contravention of the road rules. This is leading to a potential crash situation with vehicles in the right lane that could be travelling straight ahead to Cudgen. The KRPA suggests that lane marking arrows be installed to enforce the road rules at this intersection.*

The critical vehicle queue at the signals occurs in the northbound lane on Tweed Coast Road in the morning peak period. The additional through lane on this leg assists in minimising this queue and hence delay. Although this minimisation is minor at the present time, once the vehicle queue length exceeds 265 metres in the Tweed Coast Road south leg, intersection performance will drop dramatically for this approach.

Traffic volumes are steadily increasing in this area and it will only be a matter of years when queues may exceed 265 metres, in which case the additional through lane will be essential. By changing the existing left-through lane to a left only lane will not solve the issue of vehicles overtaking in this lane. Similar comments apply to southbound vehicles in the Tweed Coast Road leg.

With regard to the right turning vehicles on Cudgen Road from Kingscliff it is recommended that arrows indicating turning manoeuvres be installed.

RECOMMENDATION TO COMMITTEE:

That appropriate linemarking be installed on Cudgen Road on the Kingscliff approach to Tweed Coast Road.

RECOMMENDATION TO COUNCIL:

That:-

1. Appropriate directional arrow markings be installed on Cudgen Road (east leg) on the Kingscliff approach to Tweed Coast Road.
2. Through, through-left and right merge arrow markings be placed on Tweed Coast Road (north and south legs).

FOR VOTE - Unanimous

ABSENT - Col Brooks

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C1 [LTC] Numinbah Road, Chillingham

ORIGIN:

Planning & Infrastructure

FILE NO: 2023084; Traffic - Committee; Numinbah Road; Speed Zones

SUMMARY OF REPORT:

Request received for traffic counts on Numinbah Road (north and south of the village). It has been reported by a resident that:-

"The speed limit in the village is not being adhered to and that greater police presence needs to be directed to the Chillingham village in order to reinforce safety and achieve community awareness of police enforcement of speed".

Current traffic data will be tabled for the Committee's consideration.

Speed surveys have been undertaken over a week period.

For the week ending 5/4/09 48% of vehicles are over 50kph with the 85th percentile speed being 60kph. The 85th percentile speed in the school zone during school times was 59kph. 17% of vehicles are travelling at over 60kph in the school zone and the ADT was 739.

For the 2nd week (with radar) 40% of traffic was travelling over 50kph and the 85th percentile speed in the school zone am was 55kph and pm was 54kph.

On Saturdays and Sundays 38% of vehicles travelled at over 50kph.

RECOMMENDATION TO COMMITTEE:

That the NSW Police be requested to regularly enforce the speed limit in the village of Chillingham.

RECOMMENDATION TO COUNCIL:

That NSW Police be requested to enforce the speed limit in the village of Chillingham.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Geoff Provest

C2 [LTC] Terranora Road, Terranora

ORIGIN:

Planning & Infrastructure

FILE NO: 2022916; Terranora Road; Henry Lawson Drive; Bus Services - Stops; Traffic - Committee; Safety

SUMMARY OF REPORT:

Request received in relation to concerns that drivers are using the slip lane on Terranora Road, north east of Henry Lawson Drive before the bus shelter to drop off passengers. To stop this occurring a "No Stopping" sign is requested on Terranora Road between Henry Lawson Drive and the bus zone.

Council officers will investigate and report to the Committee.

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That linemarking be installed to delineate the acceleration lane from Henry Lawson Drive and that 'No Stopping' signs be installed along the relevant acceleration lane length along Terranora Road and Henry Lawson Drive.

FOR VOTE - Unanimous

ABSENT - Col Brooks

C3 [LTC] Kyogle Road

ORIGIN:
Planning & Infrastructure

FILE NO: 1886479; Traffic - Committee; Safety; Speed Zones; Kyogle Road

SUMMARY OF REPORT:

This item (B1) has been discussed at the previous meetings on 18 September 2008, 16 October, 13 November 2008 and 12 March 2009 and the item is reproduced as follows:-

"Request received to reduce the derestricted speed limit on Kyogle Road which runs through the village shops at Mount Burrell.

Council speed studies in the vicinity of Mount Burrell on Kyogle Road show that the 85th percentile speed is around 80kph.

It was recommended that speed limit surveys be undertaken at this location and forwarded to the RTA representative for an evaluation.

The Roads & Traffic Authority of NSW representative advised that a formal response regarding this matter should be available prior to the next Local Traffic Committee meeting.

The Roads & Traffic Authority of NSW advised Council by email on 20 March 2009 that approval has been granted "for a restriction in speed to 80 km/hr from 4.5km to 5.7km east of the Nimbin Road Junction with MR142." Once authorisation is received by Council, appropriate speed signage will be installed.

RECOMMENDATION TO COMMITTEE:

For the Committee's consideration.

RECOMMENDATION TO COUNCIL:

That this matter be listed on the Schedule of Outstanding Resolutions."

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Geoff Provest

RECOMMENDATION TO COMMITTEE:

For the consideration of the Committee.

RECOMMENDATION TO COUNCIL:

That this matter be listed for the next LTC Agenda.

*FOR VOTE - Unanimous
PRESENT. DID NOT VOTE - Rod Bates*

RECOMMENDATION TO COMMITTEE:

That:-

1. The advice of the Roads & Traffic Authority of NSW that approval has been granted "for a restriction in speed to 80 km/hr from 4.5km to 5.7km east of the Nimbin Road Junction with MR142" be noted.
2. The original correspondent be advised of the Roads & Traffic Authority of NSW's decision.

RECOMMENDATION TO COUNCIL:

That:-

1. Upon receipt of formal approval from the Roads & Traffic Authority of NSW "for a restriction in speed to 80 km/hr from 4.5km to 5.7km east of the Nimbin Road Junction with MR142" the speed signage be installed.
2. The original correspondent be advised of the Roads & Traffic Authority of NSW's decision.

*FOR VOTE - Unanimous
DID NOT VOTE - Col Brooks (absent), Geoff Provest*

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 14 May 2009 in the Mt Warning Meeting Room commencing at 9.00am.

There being no further business the Meeting terminated at 12.20pm.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:**A1 [LTC] Banora Primary School - Pioneer Parade****ORIGIN:****Planning & Infrastructure****FILE NO: 994354; 1994355; 2026429; 2026555; 2026602; Traffic - Committee; School Zones; School - Banora Primary; Pioneer Parade; Terranora Road; Johnson Street; Transport - Bus Services - Stops****As per the Committee's recommendation being:***That*

1. *"No Parking 8am-9:30am, 2:30pm-4pm, School Days" be installed on the northern side of Johnson Street from Terranora Road to the double centre lines at the Pioneer Road end.*
2. *"No Stopping" signs be installed on Johnson Street to cover the centre barrier lines.*
3. *The Banora Point Primary School principal be informed of the above recommendation and be requested to include reference in the school newsletter.*

A2 [LTC] Frances Street, Tweed Heads**ORIGIN:****Planning & Infrastructure****FILE NO: 2021867; Traffic - Committee; Control; Roads - Maintenance; Pollution - Air; Parking - Illegal; Frances Street; Parking Zones****As per the Committee's recommendation being:***That prohibiting bus signage be installed near the Endeavour Parade / Frances Street intersection (river side).*

B. INFORMAL ITEMS SECTION**GENERAL TRAFFIC ADVICE****B1 [LTC] Anzac Day Road Closures****ORIGIN:**

Planning & Infrastructure

FILE NO: 1999204; Anzac Day; Civic Centre - Murwillumbah; Tweed District Rescue Squad; Traffic - Control; Traffic - Committee; Road Closures - Temporary; Murwillumbah Street; Proudfoots Lane; Brisbane Street; Commercial Road; Queen Street; Tumbulgum Road

As per the Committee's recommendation being:

That road closures for the ANZAC Day assembly and the march on 25 April 2009 be approved subject to standard conditions and Police approval. The affected roads are as follows:-

- *Murwillumbah Street from Queen Street*
- *Proudfoots Lane from Brisbane Street*
- *Brisbane Street from Wollumbin Street*
- *Commercial Road from Wollumbin Street*
- *Proudfoots Lane from Commercial Road*
- *Queen Street from Murwillumbah Street*
- *Tumbulgum Road from Old Ferry Road*

B2 [LTC] Botanical Circuit, Banora Point**ORIGIN:**

Planning & Infrastructure

FILE NO: 2025761; Botanical Circuit; Traffic - Committee; Speed Zones; Traffic - Control; Safety; Petition

As per the Committee's recommendation being:

That the Botanical Circuit item be placed on the list of Outstanding Resolutions.

B4 [LTC] Coronation Avenue, Pottsville

ORIGIN:

Planning & Infrastructure

FILE NO: 2026753; Traffic - Committee; Coronation Avenue; Pedestrian Crossings; Safety; Parking - Zones

As per the Committee's recommendation being:

That appropriate linemarking be installed immediately adjacent to the western approach to the pedestrian crossing on Coronation Avenue to preclude vehicles parking within 5m of the crossing.

B5 [LTC] Murwillumbah Street, Murwillumbah

ORIGIN:

Planning & Infrastructure

FILE NO: 2008423; Traffic - Committee; Murwillumbah Street; Local Area Traffic Management; Parking - Zones

As per the Committee's recommendation being:

That residents who have access to the laneway on Murwillumbah Street be contacted by letter advising of the requirement for clear vehicular access along the access laneway

B6 [LTC] Hastings Point - Traffic Issues

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 1966370; 2030406; Tweed Coast Road; Peninsula Street; Traffic - Committee; Traffic - Safety; Traffic - Speed; Bridges - Cudgera Creek

As per the Committee's recommendation being:

That this report be noted and that Council officers consider placing Council's speed trailer on Tweed Coast Road in the vicinity of the Creek Street / Tweed Coast Road intersection.

B7 [LTC] Eungella - School Speed Restriction

ORIGIN:
Planning & Infrastructure

FILE NO: 2023065; Traffic - Committee; School Zones; Traffic - Safety; Tyalgum Road

As per the Committee's recommendation being:

That this matter be referred to the Roads & Traffic Authority of NSW.

B8 [LTC] Dobbys Crescent and Terranora Road, Terranora

ORIGIN:
Planning & Infrastructure

FILE NO: ECM 2020571; Dobbys Crescent; Terranora Road; Parkes Lane; Traffic - Committee; Newspaper Article; Pollution - Noise; Speed Zones; Local Area Traffic Management

As per the Committee's recommendation being:

That advisory signage requesting limiting compression brake noise be installed on the downhill section of Terranora Road near 22 Dobbys Crescent, Terranora.

B9 [LTC] Speeds - Koala Beach

ORIGIN:
Planning & Infrastructure

FILE NO: ECM 2020571; Koala Beach Estate; Traffic - Committee; Speed Zones; Local Area Traffic Management; Safety

As per the Committee's recommendation being:

That Council officers further investigate Koala Beach Estate for the provision of further 40kph signage and stencils.

B10 [LTC] RTA Guide to the Delegation to Councils for the Regulation of Traffic**ORIGIN:**

Planning & Infrastructure

FILE NO: 2019691; 2019692; Traffic - Committee; RTA - Meetings

As per the Committee's recommendation being:

That:-

- 1. The guide to the Delegation to Councils for the Regulation of Traffic - Version 1.3 issued March 2009 (including the operation of Traffic Committees) be received and noted.*
- 2. The Roads & Traffic Authority of NSW Representative provide clarification on requiring concurrence of all LTC members to the LTC minutes prior to being presented to the elected Council.*

B11 [LTC] Biala Special School Charity Ride**ORIGIN:**

Planning & Infrastructure

FILE NO: 2007877; Charities; Bicycle Matters; Traffic - Committee; Kyogle Road; Tyalgum Road; Murwillumbah Road; Wollumbin Street; Carraboi Terrace; Tyalgum Creek Road; Coolman Street; Limpinwood Road; Zara Road; Numinbah Road; Queensland Road; Wharf Street; Tweed Valley Way

As per the Committee's recommendation being:

*That the Committee has no objections to the Charity Ride subject to Police approval being obtained.***B12 [LTC] Cudgen Road Traffic Lights****ORIGIN:**

Planning & Infrastructure

FILE NO: 2001418; Traffic - Linemarking; Lights; Safety; Traffic Committee; Cudgen Road

As per the Committee's recommendation being:

That:-

- 1. Appropriate directional arrow markings be installed on Cudgen Road (east leg) on the Kingscliff approach to Tweed Coast Road.*

2. *Through, through-left and right merge arrow markings be placed on Tweed Coast Road (north and south legs).*

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C1 [LTC] Numinbah Road, Chillingham

ORIGIN:
Planning & Infrastructure

FILE NO: 2023084; Traffic - Committee; Numinbah Road; Speed Zones

As per the Committee's recommendation being:

That NSW Police be requested to enforce the speed limit in the village of Chillingham.

C2 [LTC] Terranora Road, Terranora

ORIGIN:
Planning & Infrastructure

FILE NO: 2022916; Terranora Road; Henry Lawson Drive; Bus Services - Stops; Traffic - Committee; Safety

As per the Committee's recommendation being:

That linemarking be installed to delineate the acceleration lane from Henry Lawson Drive and that 'No Stopping' signs be installed along the relevant acceleration lane length along Terranora Road and Henry Lawson Drive.

C3 [LTC] Kyogle Road

ORIGIN:

Planning & Infrastructure

FILE NO: 1886479; Traffic - Committee; Safety; Speed Zones; Kyogle Road

As per the Committee's recommendation being:

That:-

- 1. Upon receipt of formal approval from the Roads & Traffic Authority of NSW "for a restriction in speed to 80 km/hr from 4.5km to 5.7km east of the Nimbin Road Junction with MR142" the speed signage be installed.***

 - 2. The original correspondent be advised of the Roads & Traffic Authority of NSW's decision.***
-

13 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 14 May 2009

Venue:

Mt Warning Meeting Room

Time:

Commencing at 9.00am

Present:

Committee Members: Mr Mike Baldwin, Roads and Traffic Authority, Snr Constable Paul Henderson, NSW Police, Mr Rod Bates on behalf of Mr Geoff Provest MP, Member for Tweed.

Informal: Mr John Zawadzki (Chairman), Mr Ray Clark, Mr Paul Brouwer, Ms Judith Finch (Minutes Secretary).

Apologies:

Mr Thomas George MP, Member for Lismore, Cr Barry Longland (Deputy Mayor), Mr Danny Rose, Mr Geoff Provest, MP Member for Tweed.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 16 April 2009 be adopted as a true and accurate record of proceedings of that meeting.

SCHEDULE OF OUTSTANDING RESOLUTIONS

[LTC] Outstanding Resolutions 14 May 2009

1. [LTC] Tweed Valley Way between Condong and Chinderah

ORIGIN:

Planning & Infrastructure

FILE NO: DW1926529; Tweed Valley Way, Condong and Chinderah; Traffic - Safety; Traffic - Committee

SUMMARY OF REPORT:

From Meeting held 11/12/2008 (Item B8)

Request received in relation to traffic safety at night on the Tweed Valley Way between Condong and Chinderah. It has been suggested that "cats eyes" be placed on this stretch of road.

'Cats Eyes' are normally referred to as 'Retroreflective Raised Pavement Markers' or 'RRPM's'. They are used to augment painted lines on the road surface. For Tweed Valley Way a typical installation would be red RRPM's on the left edge line, white or yellow RRPM's on the right edge line or separation/barrier line at a spacing of about 24 metres.

Unfortunately installation of RRPM's comes at a cost together with replacement and need to be considered within budgetary constraints, however centreline RRPM's do exist at all 'painted turn lanes and islands and bends signposted at speeds lower than 100kph.

RECOMMENDATION TO COMMITTEE:

That this be investigated further by Council officers.

RECOMMENDATION TO COUNCIL:

That this be investigated further by Council officers.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

2. [LTC] Speeds - Koala Beach

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2020571; Koala Beach Estate; Traffic - Committee; Speed Zones; Local Area Traffic Management; Safety

SUMMARY OF REPORT:

From Meeting Held 16/4/09 (Item B9):

Request received in relation to excessive vehicle speeds on roads within Koala Beach. Speed needs to be reduced by using more speed humps or extra signage.

Council's traffic data taken during the week ending 13 February 2008 west of the Primary School on Cudgera Avenue is as follows:-

- Average daily traffic = 1,822 vpd
- 85th percentile speed = 50kph
- % heavy vehicles = 0.4%

Council's accident records (2003 - 2007) show no accidents on Cudgera Avenue or within the Koala Beach Estate.

Due to the low traffic volumes, relatively low 85th percentile speed and no accident record, it is considered the issues raised do not justify expenditure of funds for speed humps or signage.

RECOMMENDATION TO COMMITTEE:

That no action be taken and resident be advised of the reasons as stated in this report.

RECOMMENDATION TO COUNCIL:

That Council officers further investigate Koala Beach Estate for the provision of further 40kph signage and stencils.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks

3. [LTC] RTA Guide to the Delegation to Councils for the Regulation of Traffic

ORIGIN:

Planning & Infrastructure

FILE NO: 2019691; 2019692; Traffic - Committee; RTA - Meetings

SUMMARY OF REPORT:

From Meeting Held 16/4/09 (Item B10):

Col Brooks left the meeting.

A guide to the Delegation to Councils for the Regulation of Traffic - Version 1.3 issued March 2009 (including the operation of Traffic Committees) has been received by Council.

A copy of the guide is provided to each Local Traffic Committee representative for information. It should be noted that the new guide has extra administrative processes that need to be performed which may impede on the turnaround time between Local Traffic Committee meetings and the provision of Minutes to Council.

The Committee noted that B-Double items will form a separate Agenda to Local Traffic Committee meetings.

RECOMMENDATION TO COMMITTEE:

That the guide to the Delegation to Councils for the Regulation of Traffic - Version 1.3 issued March 2009 (including the operation of Traffic Committees) be received and noted.

RECOMMENDATION TO COUNCIL:

That:-

1. The guide to the Delegation to Councils for the Regulation of Traffic - Version 1.3 issued March 2009 (including the operation of Traffic Committees) be received and noted.
2. The Roads & Traffic Authority of NSW Representative provide clarification on requiring concurrence of all LTC members to the LTC minutes prior to being presented to the elected Council.

*FOR VOTE - Unanimous**ABSENT - Col Brooks*

From Meeting held 14/5/09:-

The Roads & Traffic Authority of NSW Representative advised that it is mandatory that minutes be circulated prior to going to Council. He also advised that Council now has delegated authority for regulatory signs on Regional Classified Roads. Therefore it was noted that Part C can now be excluded from future LTC Agendas.

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

A1 [LTC] Greenway Drive, Tweed Heads South

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2043084; 2043242 Greenway Drive; Doyle Drive; Traffic - Committee; Roundabouts; Linemarking

SUMMARY OF REPORT:

As part of linemarking works required to install an additional northbound lane at the Greenway Drive, Doyle Drive roundabout, 'No Stopping' signs are required to create clear traffic lanes along the southbound Greenway Drive leg of the roundabout. The proposed lanes and signage are shown on Council drawing no. PD08013-07, which is an attachment to this report.

'No Stopping' signs already exist adjacent to the roundabout. This proposal will extend these 'No Stopping' areas.

RECOMMENDATION TO COMMITTEE:

That 'No Stopping' signage on Greenway Drive at the intersection with Doyle Drive, as shown on Council's Drawing No. PD08013-07, be approved for installation.

RECOMMENDATION TO COUNCIL:

That 'No Stopping' signage on Greenway Drive at the intersection with Doyle Drive, as shown on Council's Drawing No. PD08013-07, be approved for installation and that the effectiveness of the works be monitored over the next 6 months.

FOR VOTE - Unanimous

A2 [LTC - LATE] Barrett Street, Tweed Heads West

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2048420; Barrett Street; Blue Waters Crescent; Kennedy Drive; Traffic - Committee; Safety; Parking Zones

SUMMARY OF REPORT:

Request received for the installation of "No Stopping" signs on Barrett Street (eastern side) from Kennedy Drive to Blue Waters Crescent. It is reported that parked vehicles on both sides of Barrett Street from Kennedy Drive to Blue Waters Crescent effectively reduce the road to one lane. A driver was nearly involved in a crash as a driver heading north forced her off the road.

The Committee noted that drivers need to slow down and drive to suit the road conditions.

RECOMMENDATION TO COMMITTEE:

That this item be considered by the Local Traffic Committee.

RECOMMENDATION TO COUNCIL:

That further 'No Stopping' signage not be erected on Barrett Street, Tweed Heads West as the existing 'No Stopping' signage caters for the queuing requirements at the intersection with Kennedy Drive.

FOR VOTE - Unanimous

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B1 [LTC] Cycling Event - Tour de Tweed Coast & Gran Fondo

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2045728; Bicycle - Events; Traffic - Committee

SUMMARY OF REPORT:

Request received to conduct a multi stage cycle race in the Tweed Valley from Saturday 6 June to Monday 8 June 2009. The races consist of 4 stages each aiming to start early morning and to be concluded as quickly as possible to avoid any traffic disruption. The race is controlled by certified traffic controllers and marshalls and qualified Cycling Australia commissionaires.

The cycle race organisers anticipate 200 race registrations.

Stage 1 is to be held Saturday a.m. - Terrible Time Trial - from Stokers Siding through Dunbible to Bakers Road and return.

Stage 2 is to be held Saturday p.m. - The Rapid Road Race - from Stokers Siding on Smiths Creek Road to Tweed Valley Way, north to Mistral Road, west to Stokers Siding Road and along Stokers Road back to Stokers Siding

Stage 3 is to be held Sunday a.m. - The Epic Road Race - from Tumbulgum village front of Hotel and uses the following roads: Riverside Drive, Terranora Road, Dulguigan Road, Numinbah Road, North Arm Road, Park Avenue, Kyogle Road, Smiths Creek Road, Stokers Road, Tweed Valley Way, Mistral Road, Stokers Road, Smiths Creek Road back to Tumbulgum village along the same route.

Stage 4 is to be held Monday mid morning - The Criterium - race start on Forster Avenue heading north into Barrel Street, Casuarina Way, Banzai Street, Avoca Street, Cylinders Drive, finish on Barrel Street (near Forster corner).

Further advice will be submitted at the meeting.

The meeting noted that Stage 4 is proposed to be held in the SALT south beach area. Plans of the event were viewed by the Committee.

RECOMMENDATION TO COMMITTEE:

That:-

1. Stages 1, 2 and 3 of the Cycling Event - Tour de Tweed Coast & Grand Fondo be approved, subject to Police approval.
2. Stage 4 is not approved based on previous advice to the applicant.

RECOMMENDATION TO COUNCIL:

That Stage 1, 2, 3 and 4 of the Cycling Event - Tour de Tweed Coast & Grand Fondo be approved, subject to Police approval.

FOR VOTE - Unanimous

B2 [LTC] Botanical Circuit, Banora Point

ORIGIN:

Planning & Infrastructure

FILE NO: 2025761; Botanical Circuit; Traffic - Committee; Speed Zones; Traffic - Control; Safety; Petition

SUMMARY OF REPORT:

From Meeting Held 16/4/09 (Item B2)

"Request and petition received in relation to the increase in traffic and vehicles in excess of the 50kph speed limit in Botanical Circuit. The request is:-

"..... find a temporary or permanent solution to slowing down the traffic flow in our section of Botanical Circuit as soon as possible."

Council's traffic data indicates that on 18 September 2008 the 85th percentile speed was 57kph measured outside no. 165 Botanical Circuit.

It was suggested that the speed trailer be put out in any event.

It was recommended that up to date traffic data be obtained for this section of Botanical Circuit.

This item to be listed on Outstanding Resolutions.

RECOMMENDATION TO COMMITTEE:

That:-

1. NSW Police be requested to enforce the speed limit on Botanical Circuit.

2. *Council officers place the speed trailer on Botanical Circuit in co-operation with Police activities.*

RECOMMENDATION TO COUNCIL:

That the Botanical Circuit item be placed on the list of Outstanding Resolutions.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Col Brooks"

Speed data will be presented by Council officers to the Committee for the week ending 9 May 2009.

The meeting was provided with additional traffic data for the week ending 29 April 2009 and noted that 2,200 vehicles per day was the traffic volume and the 85th percentile speed was 58km/h outside no. 136 Botanical Circuit. 2% of vehicles travel between 80 and 90km/h and 11% travel between 70 and 80km/h.

RECOMMENDATION TO COMMITTEE:

That in addition to the previous Recommendation to Council of the Local Traffic Committee dated 16 April 2009, no further action be taken.

RECOMMENDATION TO COUNCIL:

That in addition to the previous Recommendation to Council of the Local Traffic Committee dated 16 April 2009, residents be provided with a copy of the Traffic Complaint Information Form.

FOR VOTE - Unanimous

B3 [LTC] Local Traffic Committee Meeting Schedule

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 1992791; Traffic- Committee

SUMMARY OF REPORT:

This item was discussed at the meeting held 12 March 2009 and is brought forward for the following meeting dates to be adopted for the remainder of 2009. The proposed dates should minimise the time between meetings.

Current Meeting Date	Proposed Meeting Date	Minutes to Council Meeting
11 June	25 June	21 July
9 July	30 July	18 August
13 August	27 August	15 September
10 September	24 September	20 October
15 October	29 October	17 November
12 November	26 November	15 December
17 December	17 December	January 2010

The Roads & Traffic Authority of NSW Representative stated that the current meeting dates do align with their LTC Ballina meeting dates. It was noted that the Roads & Traffic Authority of NSW Representative will be unavailable on the 27 August 2009.

RECOMMENDATION TO COMMITTEE:

That the dates of 25 June, 30 July, 27 August, 24 September, 29 October, 26 November and 17 December be confirmed as the dates for Local Traffic Committee meetings for the remainder of 2009.

RECOMMENDATION TO COUNCIL:

That the dates of 25 June, 30 July, 27 August, 24 September, 29 October, 26 November and 17 December be confirmed as the dates for Local Traffic Committee meetings for the remainder of 2009.

FOR VOTE - Unanimous

B4 [LTC] Empire Lane, Tweed Heads

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2039058; Empire Lane; Traffic - Committee; Traffic - Safety; Wharf Street; Sands Street

SUMMARY OF REPORT:

Request received for a small section of Empire Lane be changed to allow two-way traffic between Sands Street and the eastern end of the entry driveway to the Ambience project, which comprises 15 residential and 2 commercial units.

The request is as follows:-

"Access to the parking area for the project is via Empire Lane.

Empire Lane is a one way street heading west. Empire Lane can only be entered from the segregated secondary north bound slow or parking lane part of Wharf Street. It cannot be entered from the south bound lanes of Wharf Street.

Therefore to enter the parking area of Ambience the only legal choice is to take the segregated secondary slow lane part of Wharf Street some distance south of Empire Lane while travelling north and from there turn into Empire Lane and travel west.

The secondary lane off Wharf Street is a single lane that has a traffic island separating it from the main Wharf Street traffic lanes and flow. The segregated secondary lane cannot be entered from the main Wharf Street traffic lanes in the vicinity of Empire Lane but must be entered some distance before. This secondary lane is often slow moving or blocked by traffic queuing to enter the Woolworths discount petrol outlet or other street parking.

Therefore the only present legal entry pathway to Ambience parking is a very inconvenient and often circuitous access route.

The Empire Lane entry driveway into the Ambience parking area is near the intersection with Sands Street and only about 11 metres from the kerb in Sands Street. Although Sands Street is also one-way, unlike Empire Lane, it can be conveniently entered from all directions.

Sands Street therefore provides much closer and easier access to Ambience parking particularly because of the difficulties involved with entering via Empire Lane. It is therefore likely that those seeking to enter the Ambience parking area would enter via Sands Street and take the risk of driving the only 11 metres the wrong way down the one way Empire Lane to the entry driveway.

Because Empire Lane is one way this could lead to traffic conflicts and safety issues."

Council officers will inspect the site and report to the meeting.

The Committee noted that combined two-way one-way directional flow on the same street is undesirable and that vehicles may try to unlawfully access Wharf Street via the one-way part of Empire Lane. There appear to be no significant benefits, traffic wise for allowing two lane flow along Empire Lane.

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That the proposal for two-way traffic flow on Empire Lane between Sands Street and Wharf Street is not supported.

FOR VOTE - Unanimous

B5 [LTC] Pandanus Parade, Cabarita Beach

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2000442; Pandanus Parade; Traffic - Committee; Festivals - Other;
Road Closures - Temporary; Traffic Safety

SUMMARY OF REPORT:

Request received from the Cabarita Beach Pottsville Lions Club Greenback Committee for temporary road closure of Pandanus Parade from 12:00 noon Saturday 6 June to 11:30pm 7 June 2009, with Pandanus Parade to be re-opened to traffic after 6:00pm Saturday 6 June and closed again on Sunday 7 June until 11:30pm.

Pandanus Parade is currently being upgraded. The expected completion date is middle of June 2009. There may be conflicts between the construction and the proposed Greenback Fishing Competition. Council officers however will liaise with the competition organisers with a view to maintain public access to the foreshore area.

With the upgrading works completed it is not foreseen that any road closure will be required for the conduct of the event as the new pedestrian area could be used for event activities.

RECOMMENDATION TO COMMITTEE:

That Council officers liaise with the event coordinators to facilitate the running of the Greenback Fishing Competition from 6 to 7 June 2009.

RECOMMENDATION TO COUNCIL:

That:-

1. Council officers liaise with the event coordinators to facilitate the running of the Greenback Fishing Competition from 6 to 7 June 2009.
2. The Committee has no objection to the proposed temporary road closure of Pandanus Parade from 12:00 noon Saturday 6 June to 11:30pm 7 June 2009, with Pandanus Parade to be re-opened to traffic after 6:00pm Saturday 6 June and closed again on Sunday 7 June until 11:30pm, subject to standard conditions of approval and liaison between the event organisers and Council's Contract Officers.

FOR VOTE - Unanimous

B6 [LTC] Coolman Street, Tyalgum

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2040910; Coolman Street; Cudrigan Street; Carraboi Terrace; Traffic - Committee; Road Closures - Temporary; Festivals - Tyalgum Diggers

SUMMARY OF REPORT:

Request received for temporary closure of Coolman Street, Tyalgum on Saturday 25 July 2009 from 6:00am to 4:00pm for the Tyalgum Diggers District Sports Association Inc event at the Tyalgum Showgrounds, Carraboi Terrace.

"The closed section of road would commence approximately 20 metres past the intersection of Cudrigan and Coolman Streets, which would locate the roadblock directly in front of the Tyalgum Hall. The closed section would conclude at the intersection of Carraboi Terrace and Coolman Streets. The alternate route for Tyalgum Creek Road traffic would be via Cudrigan Street, Wollumbin Street and Carraboi Terrace."

RECOMMENDATION TO COMMITTEE:

That the temporary closure of Coolman Street, Tyalgum on Saturday 25 July 2009 from 6:00am to 4:00pm be approved subject to standard conditions of approval.

RECOMMENDATION TO COUNCIL:

That the temporary closure of Coolman Street, Tyalgum on Saturday 25 July 2009 from 6:00am to 4:00pm be approved subject to standard conditions of approval.

FOR VOTE - Unanimous

PRESENT. DID NOT VOTE - Rod Bates

B7 [LTC] Charles Street, Tweed Heads

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2032722; Charles Street; Traffic - Committee; Pedestrian Safety; Traffic - Safety; Speed Zones

SUMMARY OF REPORT:

Request received for the speed limit on Charles Street, Tweed Heads to be reduced to 40km/h.

"Inspection on any occasion, reveals cars parked on both side of the street, with many straddling the gutter, no footpaths and pedestrians being forced to weave around parked cars into the road proper when no traverse of the verge is possible."

We note that varying speed limits can be imposed, such as that in Endeavour Parade and request Council to undertake similar action for Charles St."

Council's accident database shows only one reported accident along Charles Street over the period 2003 - 2007. This involved a single vehicle losing control near the Charles Street/Steep Street intersection. Council's traffic data shows a total vehicle count of 541 vehicles per day for Charles Street, which is low.

40 km/hr speed limits are appropriate in:-

- CBD areas
- Suburban shopping strips
- Areas where land use or facilities generate significant pedestrian traffic
- Business areas generating significant pedestrian traffic such as medical centres, hospitals and government service agencies

(Reference: Roads & Traffic Authority of NSW publication "40km/hr Speed Limits in High Volume Pedestrian Areas").

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That the Committee does not support the 40km/hr speed limit in Charles Street, Tweed Heads as it does not meet the requirements of a 40km/h high volume pedestrian area.

FOR VOTE - Unanimous

B8 [LTC] Wintersun Traffic Plans

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2040897; Traffic - Committee; Festivals - Wintersun

SUMMARY OF REPORT:

Request received for Local Traffic Committee advice in relation to the traffic management plan for the 2009 Wintersun Festival to be held on 6 and 7 June 2009.

RECOMMENDATION TO COMMITTEE:

That the traffic management plan for the 2009 Wintersun Festival be noted by the Committee.

RECOMMENDATION TO COUNCIL:

That the traffic management plan for the 2009 Wintersun Festival was noted by the Committee.

FOR VOTE - Unanimous

B9 [LTC] Dry Dock Road, Tweed Heads South

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2024885; Dry Dock Road; Traffic - Committee; Bus - Stops; - Bus Shelters

SUMMARY OF REPORT:

Request received as follows:-

"Problems seeing the bus coming on Dry Dock Road from bus stop when large vehicles are parked in the car park opposite Palm Village Shops - request a sign for big vehicles not to park there."

Council officers will investigate the perceived sight distance issue and report to the Committee.

RECOMMENDATION TO COMMITTEE:

That no action be taken.

RECOMMENDATION TO COUNCIL:

That Council officers contact Surfside Buslines with a view for bus drivers to always stop during daylight at the Dry Dock Road bus shelter opposite the Palm Village shops.

FOR VOTE - Unanimous

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C1 [LTC] Commonwealth Bank Charity Ride

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2035460; 2049054; Traffic - Committee; Bicycle Matters; Charities; Bay Street; Wharf Street; Terranora Terrace; Kennedy Drive; Pacific Highway, Tweed Heads

SUMMARY OF REPORT:

Request received to hold a charity bicycle event from Tweed Heads to Gosford within the Tweed Shire commencing on Monday 21 September 2009.

The roads to be used within Tweed Shire are:

Bay Street, Tweed Heads
Wharf Street, Tweed Heads
Terranora Terrace, Tweed Heads
Kennedy Drive, Tweed Heads
Pacific Highway, Tweed Heads (exit to Tweed Valley Way, Billinudgel)

There will be 5 riders and 3 support vehicles.

The Police Representative advised that the ride will not be using the Pacific Highway but using local roads instead to gain access to the Pacific Highway at Chinderah to negate the need to negotiate the Pacific Highway at Sexton Hill and the Boyds Bay Bridge.

RECOMMENDATION TO COMMITTEE:

That the Commonwealth Bank Charity Ride event on 21 September 2009 be noted by the Police and Roads & Traffic Authority of NSW.

RECOMMENDATION TO COUNCIL:

That the Commonwealth Bank Charity Ride event on 21 September 2009 be noted by the Committee.

FOR VOTE - Unanimous

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 25 June 2009 in the Mt Warning Meeting Room commencing at 9.00am.

There being no further business the Meeting terminated at 11:30am.

DIRECTOR'S COMMENTS:

Nil.

DIRECTOR'S RECOMMENDATIONS:

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

A1 [LTC] Greenway Drive, Tweed Heads South

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2043084; 2043242 Greenway Drive; Doyle Drive; Traffic - Committee; Roundabouts; Linemarking

As per Committee's recommendations being.

That 'No Stopping' signage on Greenway Drive at the intersection with Doyle Drive, as shown on Council's Drawing No. PD08013-07, be approved for installation and that the effectiveness of the works be monitored over the next 6 months.

A2 [LTC - LATE] Barrett Street, Tweed Heads West

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2048420; Barrett Street; Blue Waters Crescent; Kennedy Drive; Traffic - Committee; Safety; Parking Zones

As per Committee's recommendations being.

That further 'No Stopping' signage not be erected on Barrett Street, Tweed Heads West as the existing 'No Stopping' signage caters for the queuing requirements at the intersection with Kennedy Drive.

B. INFORMAL ITEMS SECTION**GENERAL TRAFFIC ADVICE****B1 [LTC] Cycling Event - Tour de Tweed Coast & Gran Fondo****ORIGIN:**

Planning & Infrastructure

FILE NO: ECM 2045728; Bicycle - Events; Traffic - Committee

As per Committee's recommendations being.

That Stage 1, 2, 3 and 4 of the Cycling Event - Tour de Tweed Coast & Grand Fondo be approved, subject to Police approval.

B2 [LTC] Botanical Circuit, Banora Point**ORIGIN:**

Planning & Infrastructure

FILE NO: 2025761; Botanical Circuit; Traffic - Committee; Speed Zones; Traffic - Control; Safety; Petition

As per Committee's recommendations being.

That in addition to the previous Recommendation to Council of the Local Traffic Committee dated 16 April 2009, residents be provided with a copy of the Traffic Complaint Information Form.

B3 [LTC] Local Traffic Committee Meeting Schedule**ORIGIN:**

Planning & Infrastructure

FILE NO: ECM 1992791; Traffic- Committee

As per Committee's recommendations being.

That the dates of 25 June, 30 July, 27 August, 24 September, 29 October, 26 November and 17 December be confirmed as the dates for Local Traffic Committee meetings for the remainder of 2009.

B4 [LTC] Empire Lane, Tweed Heads**ORIGIN:**

Planning & Infrastructure

FILE NO: ECM 2039058; Empire Lane; Traffic - Committee; Traffic - Safety; Wharf Street; Sands Street

As per Committee's recommendations being.

That the proposal for two-way traffic flow on Empire Lane between Sands Street and Wharf Street is not supported.

B5 [LTC] Pandanus Parade, Cabarita Beach**ORIGIN:**

Planning & Infrastructure

FILE NO: ECM 2000442; Pandanus Parade; Traffic - Committee; Festivals - Other; Road Closures - Temporary; Traffic Safety

As per Committee's recommendations being.

That:-

- 1. Council officers liaise with the event coordinators to facilitate the running of the Greenback Fishing Competition from 6 to 7 June 2009.*
- 2. The Committee has no objection to the proposed temporary road closure of Pandanus Parade from 12:00 noon Saturday 6 June to 11:30pm 7 June 2009, with Pandanus Parade to be re-opened to traffic after 6:00pm Saturday 6 June and closed again on Sunday 7 June until 11:30pm, subject to standard conditions of approval and liaison between the event organisers and Council's Contract Officers.*

B6 [LTC] Coolman Street, Tyalgum**ORIGIN:**

Planning & Infrastructure

FILE NO: ECM 2040910; Coolman Street; Cudrigan Street; Carraboi Terrace; Traffic - Committee; Road Closures - Temporary; Festivals - Tyalgum Diggers

As per Committee's recommendations being.

That the temporary closure of Coolman Street, Tyalgum on Saturday 25 July 2009 from 6:00am to 4:00pm be approved subject to standard conditions of approval.

B7 [LTC] Charles Street, Tweed Heads

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2032722; Charles Street; Traffic - Committee; Pedestrian Safety; Traffic - Safety; Speed Zones

As per Committee's recommendations being.

That the Committee does not support the 40km/hr speed limit in Charles Street, Tweed Heads as it does not meet the requirements of a 40km/h high volume pedestrian area.

B8 [LTC] Wintersun Traffic Plans

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2040897; Traffic - Committee; Festivals - Wintersun

As per Committee's recommendations being.

That the traffic management plan for the 2009 Wintersun Festival was noted by the Committee.

B9 [LTC] Dry Dock Road, Tweed Heads South

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2024885; Dry Dock Road; Traffic - Committee; Bus - Stops; - Bus Shelters

As per Committee's recommendations being.

That Council officers contact Surfside Buslines with a view for bus drivers to always stop during daylight at the Dry Dock Road bus shelter opposite the Palm Village shops.

C. CLASSIFIED ROADS SECTION

REGULATORY MATTERS

C1 [LTC] Commonwealth Bank Charity Ride

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 2035460; 2049054; Traffic - Committee; Bicycle Matters; Charities; Bay Street; Wharf Street; Terranora Terrace; Kennedy Drive; Pacific Highway, Tweed Heads

As per Committee's recommendations being.

That the Commonwealth Bank Charity Ride event on 21 September 2009 be noted by the Committee.

ORDERS OF THE DAY

14 [NOM] Jack Evans Boat Harbour

NOTICE OF MOTION:

Council has consistently provided only one option for the Jack Evans Boat Harbour redevelopment. For instance, Council has not investigated the option of applying for a licence to use small dredging to nourish the beaches, as was the practice in the past. This practice ceased as the Department of Fisheries under new legislation required a licence for this practice.

A licence is only now being currently investigated as replenishment of beaches may still be required in the new plan and the beach and trees at Chris Cunningham Park needs urgent attention.

There has been concern over the concentration of expenditure on this one area.

Councillor K Milne moves:

That Council provides options for a reduced expenditure plan for the Jack Evans Boat Harbour and provides costing for the extension of stormwater pipes into the river.

15 [NOM] Flood Evacuation Preparedness

NOTICE OF MOTION:

Councillor K Milne moves:

That Council writes to the State Emergency Service (SES) to request a briefing on emergency flood situations including a worst case scenario.

16 [NOM] Provision of Essential Toilet Facilities**NOTICE OF MOTION:**

The costs of providing and maintaining essential toilet facilities around the Shire has escalated to the degree that Council has difficulty in maintaining existing facilities let alone establishing further facilities to meet the need of the rapidly expanding population. Increased vandalism has exacerbated this problem.

Councillor K Milne moves:

That Council writes to the State and Federal governments to request substantial assistance to significantly improve public toilet facilities around the Shire.

17 [NOM] National Landscapes Viewing Locations**NOTICE OF MOTION:**

Councillor K Milne moves that Council brings forward a report on the feasibility of establishing a series of dedicated scenic viewing locations with associated BBQ, picnic, toilet and lighting facilities, in strategic locations around the Tweed Shire to tie in with the National Landscapes program involving:-

- a) Various funding options be investigated
 - b) Various methods of ascertaining prime viewing locations be outlined including community nominations.
-

18 [NOM] Mixed Residential, Commercial, Community and Emergency Use Land**NOTICE OF MOTION:**

Councillor W Polglase moves that:

1. A report be prepared on the process required to allow land owned by Kingscliff Land Company being lands on Lot 13 DP868620 and Lot 330 DP755701, corner Cudgen and Tweed Coast Roads for mixed residential, commercial, community use and emergency use to proceed to develop the lands.
 2. The land owner be advised as to their requirements to facilitate the process.
-

19 [NOM] World Rally Championships - REPCO Rally

NOTICE OF MOTION:

Councillor D Holdom moves that the period of advertising and opportunity to lodge submissions on the upcoming Repco Rally development application be extended from the current requirement of 14 days to a period of 28 days.

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CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE DIRECTOR PLANNING & REGULATION

- 1 **[PR-CM] Development Application DA05/0004 for the Filling of Land on Lots 1-9 DP 781714, Lots 11, 12, 13 & 14 DP 871753, Retention and Conservation of Unfilled Areas of Land in Lots 11, 12 & 13 DP 871753, Lots 1, 2 & 3 DP 781714, Construction of a Box Cu**

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

- 2 **[PR-CM] Approvals to Operate Markets - Kingscliff, Pottsville, Knox Park - Murwillumbah and Recreation Reserve Tweed Heads**

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 THE DIRECTOR TECHNOLOGY & CORPORATE SERVICES

3 [EO-CM] Floodplain Management

REASON FOR CONFIDENTIALITY:

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

4 [EO-CM] Tweed Road Development Strategy - Scenic Drive Diversion and McAllisters Road Extension

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

