



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr G Bagnall

**Councillors:** P Youngblutt (Deputy Mayor)  
M Armstrong  
C Byrne  
B Longland  
K Milne  
W Polglase

# Agenda

## **Ordinary Council Meeting Thursday 16 October 2014**

held at Murwillumbah Cultural and Civic Centre  
commencing at 5.00pm

## 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:

ITEM	PRECIS	PAGE
	<b>CONFIRMATION OF MINUTES</b>	<b>7</b>
1	[CONMIN-CM] Confirmation of Minutes of the Ordinary Council Meetings held Thursday 18 September 2014 and Thursday 2 October 2014	7
2	[CONMIN-EXT] Confirmation of the Minutes of the Extraordinary Council Meeting held Thursday 18 September 2014	9
	<b>SCHEDULE OF OUTSTANDING RESOLUTIONS</b>	<b>11</b>
3	[SOR-CM] Schedule of Outstanding Resolutions	11
	<b>MAYORAL MINUTE</b>	<b>29</b>
4	[MM-CM] Mayoral Minute for September 2014	29
	<b>RECEIPT OF PETITIONS</b>	<b>33</b>
5	[ROP] Receipt of Petitions	33
	<b>REPORTS THROUGH THE GENERAL MANAGER</b>	<b>35</b>
	<b>REPORTS FROM THE GENERAL MANAGER</b>	<b>35</b>
6	[GM-CM] Small Business Friendly Council Program	35
7	[GM-CM] Recreational Vehicle impact on tourism in the Tweed	39
8	[GM-CM] Destination Tweed - Audited Financial Statements 2013/14	43
9	[GM-CM] Contract EC2014-068 - Dealings Between Tweed Shire Council and Leda Holdings Pty Ltd - Independent Chair	45
	<b>REPORTS FROM THE ACTING DIRECTOR COMMUNITY AND NATURAL RESOURCES</b>	<b>49</b>
10	[CNR-CM] Community Halls Governance Framework	49
11	[CNR-CM] Community Infrastructure Framework	55
12	[CNR-CM] Submission on Marketing of Australian Sugar	60
13	[CNR-CM] Biofund Koala Connections Project Implementation	65
14	[CNR-CM] Biodiversity Grants	70
15	[CNR-CM] Council Licence from NSW Trade and Investment Crown Lands for Environmental Enhancement Structure - Terranora Broadwater	73
16	[CNR-CM] Draft Policy - Use of Foyster's Jetty for Emergency Vessel Repairs	75

<b>REPORTS FROM THE DIRECTOR ENGINEERING</b>		<b>78</b>
17	[E-CM] Review of Policy - Disposal of Surplus Goods, Materials and Portable Assets	78
18	[E-CM] Rail Trail Pilot Project - Murwillumbah to Tweed Regional Gallery	82
19	[E-CM] Recycled Water, Tweed River Jockey Club	88
20	[E-CM] Subdivision for Road Purposes - Murwillumbah	95
21	[E-CM] Request for Closure of Public Walkways Monterey Avenue, Honey Myrtle Drive and Golf View Court, Banora Point	100
22	[E-CM] Disposal of Council Land at Burringbar - Lot 6 DP 868345	111
23	[E-CM] Proposed Disposal of Land - Lundberg Drive, South Murwillumbah	114
24	[E-CM] Unnamed Lane Pottsville between Berkleys Lane and Eastern Sportsfield Car Park	119
25	[E-CM] EC2014-129 Supply and Delivery of UV Disinfection Lamps and Accessories	131
26	[E-CM] EC2014-132 Supply, Construction, and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville	136
27	[E-CM] EC2014-023 - Asphalt Surfacing on Crabbes Creek Road, Wommin Bay Road, Ducat Street and Fraser Drive	141
<b>REPORTS FROM THE ACTING DIRECTOR CORPORATE SERVICES</b>		<b>144</b>
28	[CS-CM] Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors - Policy Review	144
29	[CS-CM] Pecuniary Interest Returns for the period 1 July 2013 to 30 June 2014	146
30	[CS-CM] Budget Review - 2013/14 Carry Over Works	148
31	[CS-CM] Monthly Investment and Section 94 Developer Contribution Report for Period Ending 30 September 2014	156
<b>ORDERS OF THE DAY</b>		<b>159</b>
32	[NOR] Minutes of the Tweed Coast Koala Advisory Committee Meeting held Tuesday 11 February 2014	159
33	[NOM] Minutes of the Tweed Coast Koala Advisory Committee Meeting held Tuesday 11 February 2014	160
34	[NOM] Black Rocks Mens Shed Development Application	162
35	[NOM] Promoting Sustainable Design	163
36	[NOM] Council Investment	166

37	[NOM] Seniors Exercise Equipment	167
	REPORTS FROM SUB-COMMITTEES/WORKING GROUPS	169
38	[SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 25 September 2014	169
	CONFIDENTIAL ITEMS FOR CONSIDERATION	198
	REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE	198
	REPORTS FROM THE GENERAL MANAGER IN COMMITTEE	198
C1	[GM-CM] Commercial Charges - Murwillumbah Airfield	198

**THIS PAGE IS BLANK**

## CONFIRMATION OF MINUTES

- 1 **[CONMIN-CM] Confirmation of Minutes of the Ordinary Council Meetings held Thursday 18 September 2014 and Thursday 2 October 2014**

**SUBMITTED BY:** Corporate Governance

---



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
- 

The Minutes of the Ordinary Council Meeting held Thursday 18 September 2014 are attached for information and adoption by Council.

Also, the Minutes of the Ordinary Council Meeting that follows the Planning Committee, which was held on Thursday 2 October 2014 are attached for information and adoption by Council.

### RECOMMENDATION:

**That:**

1. **The Minutes of the Ordinary Council Meetings held Thursday 18 September 2014 be adopted as a true and accurate record of proceedings of that meeting.**
2. **The Minutes of the Ordinary Council Meetings held Thursday 2 October 2014 be adopted as a true and accurate record of the proceedings of that meeting.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.4.1.

**b. Budget/Long Term Financial Plan:**

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**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](http://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).*

Attachment 1                      Minutes of the Ordinary Council Meeting held Thursday  
18 September 2014 (ECM 3470687).

Attachment 3                      Minutes of the Ordinary Council Meeting held Thursday  
2 October 2014 (ECM 3482668)

---



**2 [CONMIN-EXT] Confirmation of the Minutes of the Extraordinary Council Meeting held Thursday 18 September 2014**

**SUBMITTED BY: Corporate Governance**

---



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
- 

The Minutes of the Extraordinary Council Meeting held Thursday 18 September 2014 are attached for information and adoption by Council.

### **RECOMMENDATION:**

**That the Minutes of the Extraordinary Council Meetings held Thursday 18 September 2014 be adopted as a true and accurate record of proceedings of that meeting.**

**REPORT:**

As per Summary.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.4.1.

**b. Budget/Long Term Financial Plan:**

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**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](http://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).*

Attachment 1

Minutes of the Extraordinary Council Meeting held Thursday  
18 September 2014 (ECM 3470291).

---

## SCHEDULE OF OUTSTANDING RESOLUTIONS

### 3 [SOR-CM] Schedule of Outstanding Resolutions

---



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.1 Council will be underpinned by good governance and transparency in its decision making process
- 

### CODE OF MEETING PRACTICE:

#### **Section 2.8 Outstanding Resolutions**

*No debate is to be allowed on Outstanding Resolutions. Any changes to or debate on Outstanding Resolutions should only be by way of a Notice of Motion or a report to Council.*

**18 APRIL 2013**

### 13 [NOM-Cr K Milne] Climate Change Priority

#### NOTICE OF MOTION:

**197**

**Cr K Milne**  
**Cr G Bagnall**

**RESOLVED** that Council prioritises climate change as an urgent and high priority in all relevant areas of Council policy and operations, and brings forward to a future Workshop, policy options to implement this approach.

**Current Status:** Workshop conducted 12 September 2013 and will be dealt with through the Environmental Sustainability Strategy. Consultant has been engaged to prepare the Strategy.

---

**19 SEPTEMBER 2013**

**ORDERS OF THE DAY**

**4 [NOM-Cr B Longland] Aboriginal Employment Strategy**

**NOTICE OF MOTION:**

**532**

**Cr B Longland  
Cr K Milne**

**RESOLVED** that an Aboriginal Employment Strategy be developed as part of Council's Equal Employment Opportunity Management Plan which sets appropriate targets for aboriginal employment participation in the organisation and includes annual reporting against these targets. The Aboriginal Employment Strategy should also be included as an element of the yet to be developed Reconciliation Action Plan.

**Current Status:** Initial discussion have been held however, awaiting finalisation of a Memorandum of Understanding and Reconciliation Action Plan to progress the development of an Aboriginal Employment Strategy. In the interim, in liaison with the Aboriginal Advisory Committee, targeted specific strategies are being trialled for aboriginal employment.

---

**17 OCTOBER 2013**

**ORDERS OF THE DAY**

**6 [NOM-Cr M Armstrong] Graffiti Management Plan**

**634**

**Cr M Armstrong  
Cr G Bagnall**

**RESOLVED** that, in addition to investigating the feasibility of specified locations for graffiti walls and/or street art, Council brings forward a report outlining:

1. Strategies to engage with local youth to educate them on the costs arising from the damage caused by graffiti; and
2. The feasibility of developing a response team to assist local small businesses and landowners to clean up graffiti.

**Current Status:** This resolution will be addressed in the Graffiti Management Plan which is scheduled for delivery in 2014/15.

---

**12 DECEMBER 2013**

**REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS**

**54 [EO-CM] Response to Notice of Motion - Future Use of Murwillumbah Railway Station Building**

866

**Cr M Armstrong  
Cr G Bagnall**

**RESOLVED** that:

1. Council brings forward a report considering ways for incorporating the proposed community and cultural precinct at the Murwillumbah Railway Station into the proposed Rail Trail Network as originally envisioned in Council's motion.
2. This report be presented to Council after release of the Casino to Murwillumbah Rail Trail Feasibility Study.

**Current Status:** Following the release of the feasibility study Council officers are reviewing the opportunity as detailed in item 1 of the resolution.

Investigation is in progress.

The site could be considered as an option for future community and/or cultural facilities/activities/precinct through the Shire wide Community and Cultural Facilities Network Plan (scheduled to commence preparation in early 2015) subject to:

- consideration of existing leases/uses
- discussion with the land owner
- consideration of best use of the site
- assessment against the criteria for site options analysis and related requirements in the TSC Community Infrastructure Framework.

---

**23 JANUARY 2014**

**10 [NOM-Cr K Milne] New Year's Sustainable Resolution**

**NOTICE OF MOTION:**

12

**Cr C Byrne  
Cr P Youngblutt**

**RESOLVED** to defer this matter until the report relating to Item 13 of Council's Meeting of 18 April 2013 has been brought back to Council.

**Current Status:** Workshop conducted 12 September 2013 and will be dealt with through the Environmental Sustainability Strategy. Consultant has been engaged to prepare the Strategy.

---

## 11 [NOM-Cr G Bagnall] Tweed Valley Way/Tweed River Corridor

### NOTICE OF MOTION:

15

**Cr W Polglase**  
**Cr M Armstrong**

### RESOLVED that:

1. Staff prepares an estimate of costs for preparation of the plan of management in (2) below to inform consideration of this item in the 2014/15 budget
2. Council considers the following item in the 2014/15 budget:

*"Prepare a Plan of Management for the Tweed Valley Way/Tweed River Corridor. This Plan of Management is to be a guiding document to coordinate activities and ensure consistency for planned and future works along the corridor. Activities to be addressed by the plan will include, but not be limited to: signage, roadside plantings, river bank stabilisation, riverbank plantings and town entry statements."*

3. A report be prepared that:
  - (a) Assesses the adequacy of existing town/village entry statements in Tweed Shire in regards to the functions of informing the travelling public, promoting the towns and villages and providing an attractive, culturally and environmentally appropriate village/town entries.
  - (b) Provides a detailed, prioritised and costed works program to upgrade the entry statements to an appropriate current standard over a suitable number of years.
  - (c) The Rural Villages Strategy be considered in preparing the Tweed Valley Way/Tweed River Corridor Plan of Management.

### Current Status:

20 February 2014	Estimate to be prepared for Item 2.
20 March 2014	Preliminary estimate of \$40,000 has been included for consideration in the 2014/2015 Draft Budget. Detailed estimate still to be determined.
15 May 2014	Preliminary estimate of \$40,000 was considered for inclusion in the 2014/2015 Draft Budget, but has been excluded from the balanced budget currently on exhibition.

18 September 2014 Item 26 Notice of Motion "Welcome to Tweed Shire Signs" also linked to this motion (Minute No 549 refers).

In regards to Item 3 an assessment is being undertaken of Town entry statements.

---

## **20 FEBRUARY 2014**

### **ORDERS OF THE DAY**

#### **48 [NOM-Cr M Armstrong] Public Open Space**

##### **NOTICE OF MOTION:**

**114**

**Cr M Armstrong  
Cr K Milne**

**RESOLVED** that Council officers bring forward a report outlining the proposed public open space strategy identified in the Delivery Program 2013-2017 including information on:

1. The state of existing public open spaces focusing on, but not limited to, public facilities;
2. The status of current Section 94 contributions plan for open spaces; and
3. Identify future funding opportunities to increase the provision of public open space.

**Current Status:** In progress.

---

## **10 APRIL 2014**

#### **37 [NOM] Impacts of Cats on Native Fauna**

##### **NOTICE OF MOTION:**

**241**

**Cr G Bagnall  
Cr M Armstrong**

**RESOLVED** that Council bring forth a report on the negative impacts of cats on native fauna, and recommendations for management.

This report to include, but not be limited to:

- a summary of current research on the interactions between cats (domestic, free-living strays and feral) and native wildlife on the eastern seaboard;
-

- what measures have been successfully employed by other Australian Councils to reduce the impacts of cats on native wildlife;
- recommendations as to possible measures Tweed Shire Council can adopt to reduce the impacts of cats on native wildlife; and
- suggestions on where these measures will fit into the organisational structure, and the resourcing implications of adopting such measures.

**Current Status:** Report to be prepared.

---

**15 MAY 2014**

**ORDERS OF THE DAY**

**30 [NOM] Camphor Laurel Management - Condong Co-generation Plant Feedback**

**NOTICE OF MOTION:**

**289**

**Cr P Youngblutt  
Cr G Bagnall**

**RESOLVED** that Council reports on options for appropriate camphor laurel removal for the Condong co-generation plant, in consultation with Cape Byron Power, the Environment Protection Authority, and Far North Coast Weeds, and in light of the decision of Far North Coast Weeds to withdraw from the approval process, changes to Council's Local Environmental Plan and the Protection of the Environment Operations Regulation.

**Current Status:** Refer overleaf to letter dated 24 June 2014 to State Member for Lismore, Thomas George MP and copy to Minister for Environment, Hon Kevin Humphries MP. Further to the letter, Director Engineering provided hard copy and discussed with the Minister on Tuesday 22 July 2014. Awaiting response from State Government to letter of 24 June 2014.

Meeting with Cape Byron Management occurred on 4 September 2014 to discuss fuel sources and the new owner's philosophy and management approach to the long term operation of the cogeneration facility.



Council Reference: Noxious - Weeds and Plants (Incl Camphor Laurel)



24 June 2014

Customer Service | 1300 292 872 | (02) 6670 2400

Mr Thomas George, MP  
Member for Lismore  
PO Box 52  
LISMORE NSW 2480

Email: [thomas.george@parliament.nsw.gov.au](mailto:thomas.george@parliament.nsw.gov.au)

[tsc@tweed.nsw.gov.au](mailto:tsc@tweed.nsw.gov.au)  
[www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au)

Fax (02) 6670 2429  
PO Box 616  
Murwillumbah NSW 2484

Please address all communications  
to the General Manager

ABN: 90 178 732 496

Dear Sir

### Camphor Laurel Harvesting for the Condong Cogeneration Plant

Further to the discussions held with representatives of the camphor laurel harvesting industry and yourself and the Minister Kevin Humphries on 22 May 2014 at Council offices and your email to me of 11 June 2014, enclosing an email to you from Mr Mick Mitchell of Biofuel Harvesters Australia Pty Ltd I provide the following advice:

1. The Condong cogeneration plant operates under an Environment Protection Licence (no. 170) issued by the NSW Environment Protection Authority (EPA). The Licence includes the following condition which was to be overseen by Far North Coast Weeds (FNCW) through the completion of individual Management Agreements and associated Harvest Plans:  
*The licensee must not accept camphor laurel biomaterial onto the premises which has not been harvested in accordance with the document "Selective Harvesting of Camphor Laurel and other Non-Native Environmental Weeds - Voluntary Code of Practice (SEJV, 2010).*
2. In an effort to facilitate this approach, Council had previously supported an exemption from the lodgement of a development application under the Tweed Council Exempt and Complying Development Control Plan, subject to an agreed process between Council, the EPA, FNCW and NSW Sugar, requiring camphor removal contractors to comply with the Camphor Harvesting Code of Practice, necessitating a Weed Control Management Plan signed off by the FNCW (who were to provide a copy to Council) before any works were commenced.
3. Despite this process there has been a history of poor compliance with the Voluntary Code of Practice. Many contractors have ignored it completely and there have been major issues with soil erosion, noise, processing in close proximity to residential areas, impacts on threatened species, damage to public roads and waterways and widespread failure to rehabilitate, poison the stumps or prevent reinfestation. This has raised considerable community concern and Council has inevitably been called upon to help resolve the issues.
4. Due to the difficulties encountered in managing the process, in early 2013 FNCW advised that they would no longer be resourcing any environmental assessment of plans of management for camphor removal jobs relating to the Condong Mill. Subsequently, the Environmental Protection Authority (Grafton office – Mr Graeme Budd) who are responsible for the licensing condition advised that the condition could not be satisfied, therefore no more camphor laurel material could be accepted by the cogeneration plant (copy of email correspondence attached).

Page 1 of 2





5. With the introduction of the Standard Instrument LEP (Tweed LEP 2014) it became clear that the Tweed Council Exempt and Complying Development Control Plan no longer apply and that Camphor Laurel harvesting for the co-generation plant would likely fall under the definition of "Forestry" and therefore require development consent.
6. With respect to the point above, there is a difference between Camphor Laurel harvesting and noxious weed control. Camphor Laurel harvesting is a relatively large scale operation (many hectares) involving the stockpiling, construction of access roads, processing, removal and transport of large volumes of "forest product". The harvester and the Mill seek a product as opposed to weed control. Under the current arrangements weed control and management is the responsibility of the land owner and not the harvester. If the intent were also to manage camphor as a weed and the contractor assumed responsibility for this and if the size and scale were of a smaller nature, the product may be a 'bi-product of weed control' as opposed to a 'forest product'.

Regardless of whether the activity is forestry or weed control, the size and scale requires some form of regulation to ensure that environmental impacts are mitigated. The previous process which included Far North Coast Weeds approval provided this. This is particularly important in the Tweed where stands of camphor laurel tend to occur on steep slopes, in conjunction with threatened species, along waterways, or in close proximity to residential and rural residential areas. By contrast, noxious weed control is much smaller in scale, is usually carried out *in situ* does not generally involve large machinery, forest products or adverse environmental impacts and would not trigger development consent or other approval.

7. In a further effort to progress the issue of using camphor laurel as a source of fuel for the Condong cogeneration plant, Council initiated a meeting (14 May 2014) with the new managers of the Condong cogeneration plant, Cape Byron Power and NSW Sugar. At the meeting, Council staff explained the regulatory and management issues of concern and it was agreed that any future harvesting needed to be carried out in an environmentally sustainable manner. The main outcome of the meeting was that Cape Byron Power was to seek formal legal advice on the planning issues as detailed above. Council is awaiting this advice.

Condong Cogeneration Plant, when operating, can provide up to 50% of the Tweed Valley's electricity. Council is committed to working collaboratively with Cape Byron Power and NSW Sugar to enable increased use of appropriate biomass sources that can enable more renewable energy production for the Tweed.

The Government's consideration and views of these matters would be greatly appreciated. Council will forward a copy of the advice from Cape Byron Power once it is received.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Troy Green".

24 Jun 2014 3:50 PM

Troy Green

**General Manager**

CSign

Enclosure

Copy: The Hon. Kevin Humphries, MP Minister for Natural Resources, Lands and Water, and Minister for Western NSW: [office@humphries.minister.nsw.gov.au](mailto:office@humphries.minister.nsw.gov.au)

**32 [NOM] Environmental Vandalism**

**NOTICE OF MOTION:**

**291**

**Cr G Bagnall  
Cr K Milne**

**RESOLVED** that Council conducts a workshop on the various types of environmental vandalism experienced in the Tweed Shire. Such a workshop will include, but not be limited to:

- the main types of vandalism of concern in this Shire;
- what other councils and Tweed Shire Council do to address these problems; and
- what further measures could be undertaken to deter such acts.

**Current Status:** Workshop to be scheduled.

---

**33 [NOM] Tree Health Assessment Standards and Policy**

**NOTICE OF MOTION:**

**293**

**Cr G Bagnall  
Cr M Armstrong**

**RESOLVED** that Council undertakes a workshop to:

1. Identify existing best practice standards for tree health, hazard and risk assessment reports;
2. Compare current Council requirements for tree health, hazard and risk assessment reports with best practice standards for tree health assessment reports; and
3. Consider whether existing Council requirements for tree health, hazard and risk assessment reports could be improved.

**Current Status:** Workshop to be scheduled.

---

**34 [NOM] Promoting Culture in the Streets**

**NOTICE OF MOTION:**

**294**

**Cr K Milne  
Cr M Armstrong**

**RESOLVED** that Council investigates the feasibility of holding or supporting a program of regular free lunchtime concerts in Tweed Heads featuring emerging Tweed musicians and performers and brings a report back to a future Council meeting.

**Current Status:** Workshop scheduled for 9 October 2014 for Social Living Rooms and Culture in the Street.

---

**19 JUNE 2014**

**ORDERS OF THE DAY**

**53 [NOM] Holiday Rentals**

**NOTICE OF MOTION:**

**370**

**Cr C Byrne  
Cr K Milne**

**RESOLVED** that:

1. A report be submitted to a future Council meeting which provides the scope for the preparation of a holiday letting strategy paper suitable for public exhibition, similar to that recently prepared for Byron Shire Council, which identifies suitable holiday letting areas in the Tweed Shire, as well as a range of appropriate planning mechanisms needed to support this strategy.
2. The report also includes areas that are not suitable for holiday letting in those areas which holiday letting is permitted.
3. This project be afforded a Priority 1 status along with other projects within the Planning Reforms Works Program.
4. Holiday Rentals be submitted as an issue for consideration at the Local Government NSW State Conference in October 2014.

**Current Status:** Action completed on items 3 and 4. Report to be prepared on items 1 and 2.

---

**56 [NOM] Receipt of Electronic Petitions**

**NOTICE OF MOTION:**

**373**

**Cr M Armstrong  
Cr K Milne**

**RESOLVED** that Council brings forward a report outlining options for the receipt of electronic petitions including, but not limited to, electronic alternatives to requirements for signatures and other methods to ensure the integrity of petitioners.

**Current Status:** Report to be prepared.

---

**59 [NOM] Transforming Public Spaces into Social Living Rooms**

**NOTICE OF MOTION:**

**376**

**Cr K Milne  
Cr M Armstrong**

**RESOLVED** that Council holds a workshop on the potential for developing a program to transform Tweed's public open spaces into social living rooms as undertaken recently by New York City.

**Current Status:** Workshop scheduled for 9 October 2014 for Social Living Rooms and Culture in the Street.

---

**17 JULY 2014**

**ORDERS OF THE DAY**

**34 [NOM] Bruce Chick Conservation Park**

**NOTICE OF MOTION:**

**428**

**Cr G Bagnall  
Cr P Youngblutt**

**RESOLVED** that Council develops a plan for Bruce Chick Conservation Park, which includes provision for the following:

1. Sealing of the road to the existing building and the car park areas adjacent to the building.
-

2. Refurbishment of the building.
3. Explore options to upgrade the toilet facility.
4. Options for the restoration of the bridge crossing over the creek to the arboretum.
5. Removal and options for rehousing of feral poultry (ongoing).
6. Council calls for expressions of interest for the pump out of sewage waste from Bruce Chick Conservation Park.
7. Re-establishment of appropriate signage for the park to include the interpretive information displayed in the building and the entry statements which acknowledge Bruce Chick.
8. An assessment of opportunities that might be considered for the park between Council and a suitable community organisation, that can exploit possible revenue potential from overnight stay campers/caravaners, a possible retail outlet at the Park, or suitable activities from such a community organisation.
9. The plan to be brought back to the Council in November 2014 in a form that would be suitable for public exhibition.

**Current Status:** In progress.

---

**21 AUGUST 2014**

**REPORTS FROM THE GENERAL MANAGER**

**8 [GM-CM] Destination Tweed - Funding and Performance Contract Renewal**

**456**

**Cr P Youngblutt  
Cr K Milne**

**RESOLVED that:**

1. Council endorses the General Manager to enter into a Deed of Variation with Destination Tweed to remove the requirement to provide services described as B1 Marketing and Promotion of Tweed for Business Investment and undertakes all necessary documentation under the common seal of Council.
2. Council notes the financial management plan (Business Plan) including Tourism Development presented by Destination Tweed.
3. Council enters into a new contract with Destination Tweed for the delivery of components A1, A2 and A3, for a period not exceeding four (4) months commencing 1 October 2014. Within this four (4) month period Destination Tweed will provide the information requested at point 4. This information will be considered by Council and if

Council is satisfied Council will grant an option to extend the contract for a further 44 months to 30 September 2018. Council authorises and will execute all necessary documentation under the common seal of Council.

4. Council requires Destination Tweed to provide Tweed Shire Council with its corporate governance arrangements for the period, including but not limited to their Code of Conduct for staff and board members, Board meeting procedures (including standing agenda items such as declaration of interest disclosures), delegations, proposed organisation structure, tender and contract management arrangements.
5. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

**Current Status:** Awaiting confirmation from Destination Tweed in relation to its corporate governance arrangements.

---

## REPORT FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

### 12 [CNR-CM] Feedback - Making Cities Liveable Conference

461

Cr K Milne  
Cr G Bagnall

**RESOLVED** that Council:

1. Receives and notes the report on the delegate feedback from the "Making Cities Liveable" Conference held at SALT on 9 to 11 July 2014.
2. Brings back a further report identifying issues from the feedback that may be feasible for council to pursue.

**Current Status:** Report to be prepared.

---

### 16 [CNR-CM] Tweed Heads Civic and Community Centre Proposed Interim Improvements

465

Cr C Byrne  
Cr M Armstrong

**RESOLVED** that Council:

---

1. Proceeds with detailed design work to extend the Tweed Heads Branch Library within the Tweed Heads Civic Centre building as recommended in this report and prepares a funding submission to the State Library of NSW for the next capital infrastructure funding round in 2014/15 to assist with funding the extension.
2. Endorses the relocation of the Council Customer Contact Centre from the Tweed Heads Civic Centre to the former SCU building to make way for expansion of the library, when appropriate.
3. Provides shared community and Council meeting and activity spaces within available existing rooms in the former SCU building, including providing for the existing uses of the South Sea Islander Room by the South Sea Islander Community and the Emergency Operations Centre.
4. Determines that proposed community and cultural facilities in the former SCU building will be made available for general community use and not for exclusive use by individual organisations or groups.
5. Redesigns the lecture theatre (located at the western end of the middle level of the former SCU building) to provide a chamber for Council and Planning Committee Meetings, and a multipurpose theatre style meeting and activity space for performance and rehearsal, community meetings and events, and council training and activities.
6. Investigates options for community and/ or commercial activities to activate the public domain area between the Tweed Civic Centre building and the former SCU building.
7. Involves users of community and cultural facilities and relevant technical experts in the design of interim improvements for the Tweed Heads Branch Library and the Civic and Community Centre, as per the implementation and engagement requirements outlined in this report.
8. Receives a report in December 2014 on detailed design and costs for the interim improvements proposed in this report.

**Current Status:** Report to be prepared for December 2014 Council meeting.

---

## **REPORTS FROM THE DIRECTOR ENGINEERING**

### **18 [E-CM] Coal Seam Gas Free Signage**

**469**

**Cr K Milne**

**Cr M Armstrong**

**RESOLVED** that:

1. Council approves the installation of eleven of the thirteen proposed coal Seam Gas Free signs.
-



2. The signs referred to in 1 above contain the words "Gas Field Free" or "Tweed Shire - Gas Field Free", depending on available space.
3. Council:
  - a. Undertakes further investigation to identify whether there is any Council owned land or supportive private landholders where it would be appropriate to install further signs at the three entrances (M1, Gold Coast Highway, Wharf Street) to north of the Shire and South Tweed Heads, and
  - b. Brings back a supplementary report.

**Current Status:** In relation to 1 and 2 signs are expected to be installed in the next few weeks.

---

### **23 [E-CM] Road Naming - Laneway at Pottsville**

476

**Cr M Armstrong**  
**Cr K Milne**

**RESOLVED** that this item be deferred until such time as a determination has been made with regard to the formation of this lane.

**Current Status:** Report will be submitted following Council's adoption of the report to the 16 October 2014 Council meeting regarding the rear lane at Pottsville.

---

### **28 [E-CM] Minjungbal Drive Tweed Heads South Streetscape Review**

481

**Cr M Armstrong**  
**Cr K Milne**

**RESOLVED** that the item be deferred to allow Council the opportunity to prepare alternate options for the streetscape of Minjungbal Drive, Tweed Heads South.

**Current Status:** Additional options currently being assessed.

---

## **ORDERS OF THE DAY**

### **44 [NOM] Concept Plans and Cost Estimates - Murwillumbah**

#### **NOTICE OF MOTION:**

**501**

**Cr G Bagnall  
Cr K Milne**

#### **RESOLVED that:**

1. Council prepares concept plans and cost estimates for the following:
  - a) Removal of the South Murwillumbah car park, located on the corner of River Street and Alma Street and replacement with a park; and
  - b) The establishment of a park on the Council owned vacant land located in River Street, South Murwillumbah (opposite Holstons Lane) including a small unsealed car park.
2. The concept plans and cost estimates are to be reported back to Council for consideration.

**Current Status:** Concept plans and costs estimates being prepared.

---

### **45 [NOM] Beautification of Murwillumbah**

#### **NOTICE OF MOTION:**

**502**

**Cr G Bagnall  
Cr M Armstrong**

#### **RESOLVED that officers present a workshop to:**

1. Educate Councillors on the concepts contained in the Woods Bagot Study (undertaken several years ago for the renewal and beautification of the central business district of Murwillumbah)
2. Explore possibilities for the decommissioned toilet block in Queens Street, Murwillumbah.

3. Discuss what beautification works could be immediately undertaken along Alma Street, South Murwillumbah, to create a better entrance into the town.

**Current Status:** Workshop scheduled for 9 October 2014.

---

#### **47 [NOM] Future Strategies for Prospero Street, South Murwillumbah**

##### **NOTICE OF MOTION:**

**504**

**Cr G Bagnall  
Cr M Armstrong**

**RESOLVED** that Council officers present a workshop to discuss affordable, possible future strategies for the beautification of Prospero Street, South Murwillumbah, including, but not limited to:

**Current Status:** Workshop scheduled for 9 October 2014.

---

**18 SEPTEMBER 2014**

##### **ORDERS OF THE DAY**

#### **25 [NOM] Promotion of Touring Productions**

##### **NOTICE OF MOTION:**

**548**

**Cr M Armstrong  
Cr K Milne**

**RESOLVED** that Council:

1. Notes the success of the recent Opera Australia production of "The Magic Flute" at the Murwillumbah Civic Centre;
2. Seeks advice from the promoter and Opera Australia as to the advantages and challenges of performing "The Magic Flute" at the Murwillumbah Civic Centre and whether there are opportunities for Council to provide greater support for touring productions; and
3. Prepares a report for a future Council meeting outlining the responses from the promoter and Opera Australia and options based upon their responses.

**Current Status:** Report to be prepared.

---

**26 [NOM] Welcome to Tweed Shire Signs**

**NOTICE OF MOTION:**

**549**

**Cr K Milne**

**Cr M Armstrong**

**RESOLVED** that Council brings forward a report on:

1. Including reference to 'The Green Cauldron, A National Iconic Landscape' on existing "Welcome to the Tweed Shire" signs at the main entrances to the Shire,
2. Installing "Welcome to the Tweed Shire" signs at the north of the Shire including on the M1 Freeway, the Gold Coast Highway and Wharf St, including reference to 'The Green Cauldron, A National Iconic Landscape', and consultation with the Aboriginal Advisory Committee to include the Aboriginal Welcome/acknowledgement of Country.
3. Options for appropriate wording, e.g. the heart of/the centre of, and pictorial graphics.
4. This be considered in conjunction with the resolution of 23 January 2014 regarding Entry Statements to the Tweed Shire.

**Current Status:** Also linked to Item 11 - Notice of Motion "Tweed Valley Way/Tweed River Corridor" from Council Meeting of 23 January 2014 (Minute No 15 refers).  
Report to be prepared.

---

## MAYORAL MINUTE

### 4 [MM-CM] Mayoral Minute for September 2014

**SUBMITTED BY:** Cr G Bagnall, Mayor

---



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
- 

## Councillors

### COMMITTEE MEETINGS

#### Attended by the Mayor

#### **Cr Barry Longland - to 18 September 2014**

- 18 September NOROC Fit for the Future Information Session for GMs and Mayors, conducted by Office of Local Government - Lismore Turf Club, Winterton Parade, North Lismore.

#### **Cr Gary Bagnall - from 19 September 2014**

Not applicable

---

### INVITATIONS / MAYORAL REPRESENTATION:

#### Attended by the Mayor

#### **Cr Barry Longland - to 18 September 2014**

- 1 September Legacy Memorial Service and Wreath Laying - The Flagpole, Murwillumbah Services Memorial Club, Wollumbin Street, Murwillumbah.
  - 6 September Fathers Day Memorial Service and afternoon tea, joint initiative of Council and local churches - Tweed Valley Cemetery, Eviron.
-

- 9 September Local Consultants Breakfast hosted by Tweed Shire Council - Canvas and Kettle Meeting Room, Murwillumbah Civic Centre, Tumbulgum Road, Murwillumbah.
- 9 September Kids in Community Awards - Level 5, Twin Towns Services Club Showroom, Corner Wharf and Boundary Streets, Tweed Heads.
- 12 September "CrabbesFest" Short Film Festival Competition for Small Local Public Schools - Crabbes Creek Hall.
- 14 September Dog & Family Fun Day - Pottsville Public School, Tweed Coast Road, Pottsville.
- 16 September Red Cross Zone Conference opening - Uki Hall, Kyogle Road, Uki.
- 16 September Meeting of the Rotary Club of Kingscliff - Cudgen Leagues Club, Kingscliff.
- 17 September Tweed Business Excellence Breakfast - Blue Room Restaurant, Tweed Bowls Club, Florence Street, Tweed Heads.
- 17 September Year 12 Graduation Ceremony and Final Assembly - Murwillumbah High School, Riverview Street, Murwillumbah.

**Cr Gary Bagnall - from 19 September 2014**

- 18 September Tri-Generation Launch and Seminar on Clean Energy - Club Banora, Leisure Drive, Banora Point - Cr Milne advised her attendance.
- 19 September Creating Sustainable Futures event with Guest Speaker Nicole Foss - Lismore Workers Club, 231 Keen Street, Lismore.
- 20 September Tweed Regional Gallery Foundation Cocktail Party Fundraiser - Tweed Regional Gallery, Mistral Road, Murwillumbah - also attended by Crs Longland and Polglase.
- 29 September National Police Remembrance Day Service - The Showroom, Twin Towns Services Club, Corner Wharf and Boundary Streets, Tweed Heads.

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

- 25 September Tweed Regional Gallery (TRAG) Foundation AGM - TRAG, Mistral Rd, Murwillumbah - attended by Cr Polglase as Foundation President.

**Inability to Attend by or on behalf of the Mayor**

- 10 September Teddy Bears Picnic, National Child Protection Week 2014 - Recreation Park, Tweed Heads.
  - 11 September Wollumbin Dreaming "Reflection Day", Aboriginal Youth Leadership Initiative - Murwillumbah Services Club, 10 Wollumbin Street, Murwillumbah.
  - 18 September Noel Chettle Memorial Art Prize Exhibition for TAFE NSW Visual Arts students - North Coast TAFE, 146 Murwillumbah Street, Murwillumbah.
-

- 19 September Commissioning of Reverend Rachel Rynehart by the Right Reverend Dr Sarah McNeil, Bishop of the Diocese of Grafton - St Cuthberts Anglican Church, Corner Florence and Powell Streets, Tweed Heads.
  - 22 September Tweed Shire Seniors Committee meeting - Coolamon Cultural Centre, Tumbulgum Road, Murwillumbah.
- 

#### **REQUESTS FOR WORKSHOPS:**

Councillors did not request any additional workshops during September 2014.

---

#### **CONFERENCES:**

##### **Conferences attended by the Mayor and/or Councillors**

- 4 September - CBD & Town Centre Design and Revitalisation Conference - Rydges Melbourne Hotel, 186 Exhibition Street, Melbourne - Cr Byrne attended.

##### **Information on Conferences to be held**

There was no information received on pending conferences during September 2014.

---

#### **SIGNING OF DOCUMENTS BY THE MAYOR:**

##### **Cr Longland**

- 11 September Licence Agreement for use of Road Reserve Wharf Street Tweed Heads - Tweed Mall Pty Ltd
- 15 September Deed of Variation - Destination Tweed AC2010-073
- 18 September Transfer - Road Closure - Riverbend Way and Oakbank Terrace Murwillumbah

##### **Cr G Bagnall**

- Nil.
-

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.4.1.

**b. Budget/Long Term Financial Plan:**

Appropriate expenditure is allowed for attendance by Councillors at nominated conferences, training sessions and workshops.

**c. Legal:**

Not applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**RECOMMENDATION:**

That:-

- 1. The Mayoral Minute for the month of September 2014 be received and noted.**
- 2. The attendance of Councillors at nominated Conferences be authorised.**

---

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---



## RECEIPT OF PETITIONS

### 5 [ROP] Receipt of Petitions

**SUBMITTED BY:** Corporate Governance

---



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.2 Decisions made relating to the allocation of priorities will be in the long-term interests of the community
- 

### SUMMARY OF REPORT:

Under Section 1.5.4 Receipt of Petitions in the Code of Meeting Practice Version 2.4.1, *Petitions received by Councillors or forwarded to the (Acting) General Manager will be tabled as per the Order of Business, Item 11, Receipt of Petitions.*

*Unless Council determines to consider it in conjunction with a report already listed on the agenda, no motion (other than a motion to receive the same) may be made on any petition until the next Ordinary Meeting after that at which it has been presented.*

### RECOMMENDATION:

**That the following tabled Petition(s) be received and noted:**

**REPORT:**

As per Summary

**OPTIONS:**

That in accordance with Section 1.5.4 of the Code of Meeting Practice Version 2.4.1:

1. The tabled Petition(s) be considered in conjunction with an Item on the Agenda.
2. The tabled Petition(s) be received and noted.

**CONCLUSION:**

Any Petition tabled should be considered under Section 1.5.4 of the Code of Meeting Practice Version 2.4.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Code of Meeting Practice Version 2.4.1.

**b. Budget/Long Term Financial Plan:**

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 6 [GM-CM] Small Business Friendly Council Program

**SUBMITTED BY:** General Manager

Valid



### Civic Leadership

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.1 Council will be underpinned by good governance and transparency in its decision making process
- 

#### SUMMARY OF REPORT:

The Office of the NSW Small Business Commissioner (OSBC) in partnership with the NSW Business Chamber has developed the Small Business Friendly Councils (SBFC) Program to proactively work with and support businesses in local government areas and enhance the business relationship with Councils.

The commitment from Tweed Shire Council to the SBFC Program will provide benefits to small business within the Shire and may produce other initiatives from across other participating councils. To finalise the SBFC commitment Council needs to complete the actions as outlined within the report.

#### RECOMMENDATION:

**That Council:**

1. **Advertises the On Time Payment Policy Version 1.0 for a period of 28 days with public submissions being invited for a period of 42 days.**
2. **Endorses the inclusion and reporting of the On Time Payment Policy, the appointment of an Economic Development Officer as previously adopted, and the participation in the regional procurement review within the 2014/15 Operational Plan commencing in the December 2014.**

## REPORT:

The Office of the NSW Small Business Commissioner (OSBC) in partnership with the NSW Business Chamber has developed the Small Business Friendly Councils (SBFC) Program to proactively work with and support businesses in local government areas and enhance the business relationship with Councils.

The Small Business Friendly Councils (SBFC) Program is endorsed by the SBFC Partnership Panel which comprises representatives from the:

- NSW Business Chamber
- Office of Local Government
- Local Government NSW, and
- Local Government Professionals Australia (NSW).

Council has recently joined the SBFC program which requires the following initiatives and actions by Council:

1. Integrated Planning & Reporting Framework - include the following "small business friendly" key performance indicators in the Operational Plan:

"On Time Payment Policy" - implement an "on time" payment policy to small business and include in quarterly reporting cycle; and,

Business Improvement Processes - implement and report on two strategies to improve business processes for small businesses and include in the quarterly reporting cycle.

### Comment:

*The Operational Plan will be updated after the required amendments have been advertised and endorsed by Council.*

*A draft "On Time Payment Policy" has been developed and is attached to this report for consideration of Council. With Council's endorsement this will be advertised for a period of 28 days and public submissions invited for a period of 42 days.*

*The two strategies to improve business processes for small business include:*

- i. the appointment of an Economic Development Officer to act as a business concierge; and*
- ii. participation in the regional procurement review in conjunction with other Northern Rivers Regional Organisations of Councils (NOROC).*

2. Public Commitment - the Mayor and General Manager to make a public comment that the Council is committed to the SBFC program and post this comment on the Council's website.

### Comment:

*The SBFC logo and standard statement will be placed on Council's website. This report serves as a further public commitment to the program.*

3. Dispute Resolution - agree to refer disputes with small business to the Dispute Resolution Unit of OSBC;

Comment:

*Tweed Shire Council have advised the OSBC that it will only refer matters to the Dispute Resolution Unit where there is not an internal complaints mechanism or another statutory mechanism available such as the Land and Environment Court, Information Commissioner or NSW Civil and Administrative Tribunal.*

4. Business Advisory Board - in conjunction with the local Business Chamber establish a Board comprising key stakeholders from the local business community to assist councils in understanding small business needs.

Comment:

*Council's current Economic Development Strategy satisfies this requirement which states Council will 'Prepare a draft charter and membership structure for the Economic Development Committee of Council identified in the Economic Development Strategy' It is planned for this Committee to be established within the 2014/15 financial year.*

5. Select one additional new initiative.

Comment:

*Council will review the time it takes for processing requests from the public, businesses and consultants such as solicitors and conveyancers for the provision of sewer diagrams. In the past such a request has taken up to ten days to be processed and has delayed things such as contract of sale for properties. Council will work towards providing the diagrams within five working days and within two working days with an 'urgency fee' component attached to the application.*

The OSBC will be setting up a portal for the SBFC Program, which will allow councils to share information, and to consider if a program/initiative being run by another Council is appropriate for them.

Significantly, the OSBC wants to encourage businesses and councils to work proactively together for the benefit of the community. Their objective is to have at least half of the 152 councils in NSW participating in the SBFC Program by 2015.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

The commitment from Tweed Shire Council to the SBFC Program will provide benefits to small business within the Shire and may produce other initiatives from across other participating Councils. To finalise the SBFC commitment Council needs to complete the actions as outlined within the report.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

New 'On Time Payment Policy' as detailed within and attached to the report.

**b. Budget/Long Term Financial Plan:**

Not Applicable.

The adoption of the On Time Payment Policy will have no cost impact on Council.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- |               |  |
|---------------|--|
| Attachment 1. | Draft On Time Payment Policy version 1.0 (ECM 3480823)   |
| Attachment 2. | Signed Charter of Small Business (ECM 3480841)   |
| Attachment 3. | Letter to the Small Business Commissioner dated 15 September 2014 confirming Tweed's Commitment to the Small Business Friendly Program (ECM 3480839) |
| Attachment 4. | Letter to the Small Business Commissioner dated 19 September 2014 responding to the request for information (ECM 3480840)                            |
-

7 [GM-CM] Recreational Vehicle impact on tourism in the Tweed

SUBMITTED BY: Holiday Parks and Economic Development

---



## Strengthening the Economy

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

3	Strengthening the Economy
3.1	Expand employment, tourism and education opportunities

---

### SUMMARY OF REPORT:

At its meeting 21 March 2013 Council considered a report titled [GM-CM] Recreational Vehicle Friendly Town Initiative and resolved:

*"that Council:*

- 1. Receives and notes this report.*
- 2. Requests Destination Tweed to consider the hinterland and remote areas of the Tweed Shire that may benefit from this type of tourism and make a short report back to Council."*

The attached report represents Destination Tweed's response to this request.

### RECOMMENDATION:

**That Council:**

- 1. Receives and notes the response from Destination Tweed.**
- 2. Endorses continuation of the ongoing consultation process to expand the use options for the Murwillumbah Showground Trust.**

## REPORT:

Below is the response from Destination Tweed:



### **Background.**

Destination Tweed has been requested to provide a short report to Council on the benefits of RV / Caravan tourism on the Tweeds rural areas.

### **Current visitation.**

The data collected at the Tweed VIC combined with the high caravan parks occupancy indicate that at present the Tweed Shire already receives a large number of RV's to the Shire, however this is predominantly in the coast areas.

Many of these RV's drive from the Tweed coast through Murwillumbah on their way to Queensland via the Nerang – Murwillumbah Road. They do not stop along the way and the opportunity for the rural regions in the Tweed is missed.

### **Opportunity.**

By having the RV tourist stop in Murwillumbah, it provides a greater opportunity to both disperse visitors to the rural villages and could increase overnight visitation. To achieve this there needs to be appropriate day parking (or overnight facilities) that enable caravans to be unhooked and left in safety to enable visitors to drive on to explore the Tweed Hinterland by vehicle.

Destination Tweed already has a series of suggested drive itineraries centred on different themes such as a; food trails and the arts which provide visitors with a touring routes and information on the region; these encourage dispersal to other areas of the Shire.

There is broad opportunity for the Shires rural areas to benefit from an increased number of caravan and campers stopping in Murwillumbah.

### **Summary.**

There are a number of options available to maximise this opportunity. At a minimum, if there is no parking facilities for RV's in Murwillumbah, they will continue (as they currently do) to drive through Murwillumbah and the rural areas and onto Queensland.

If we can encourage people to stop, leave their caravans and go off on day trips around the Shire, there will be a broader economic benefit to the Shires rural villages.



## **Consultation**

Independent of this request to Destination Tweed Council was approached by representatives of the Murwillumbah Showground Reserve Trust seeking consideration for expanded uses, including caravan and camping, at the Showground.

On 7 August 2014 Council's General Manager and Manager Holiday Parks and Economic Development met with Showground Trust representatives Messrs Alan Brown and Ian Dawes, wherein it was agreed that Council would organise a meeting between representatives of the Showground Trust, Crown Lands and Council to explore opportunities.

Accordingly, on 24 September 2014, the above Trust members, Manager Holiday Parks and Economic Development met with Mr Kevin Cameron and Mr Andrew Petroeschevsky from Crown Lands at the Murwillumbah Showground.

With respect to caravans/camping at the Showgrounds Manager Holiday Parks and Economic Development advised that Council considers such use, where it is not associated with a Showgrounds event, to be non-compliant and probably unlawful. Crown Lands representatives endorsed this by stating that allowing Queensland caravan clubs to camp was outside the purpose of reservation. There was some discussion on this resulting in Trust representatives conceding that such use was potentially an issue.

The Manager Holiday Parks and Economic Development advised that in principle Council would like to see the Showgrounds better used but it needs to be compliant and in accord with regulation.

Crown Lands offered the suggestion that the Murwillumbah Showground Trust resolve to request Crown Lands to add "recreation" to the purpose of reservation of the Showgrounds Reserve as this means camping is permissible, subject to all other necessary consents being obtained. Crown Lands representative also stated that this can be approved under delegated authority. The Manager Holiday Parks and Economic Development suggested that if the Showground Trust did this then they can then lodge a consent application with Council for use of the Showgrounds as a primitive camp ground.

It is noted that the area of the Showgrounds is 10.06 hectares which means that as a primitive campground they would be restricted to a maximum number of sites to 20.

The Murwillumbah Showground Trust representatives and Crown Lands accepted this methodology, and Manager Holiday Parks and Economic Development indicated that it made sense for Council as it brings the current non-compliant operation under a proper consent regime and sees Council supporting the Showground Trust and sensibly working with locals to grow the Showground operation.

Under this arrangement it is now up to the Murwillumbah Showground Trust to resolve the amended purpose of reservation and then by copy of that minute request Crown Lands to make the amendment. Once that is done the Showground Trust will need to submit the request to Council for approval to operate a primitive campground at the Showgrounds.

**OPTIONS:**

That Council:

1. Receive and note this report; or
2. Not receive and note this report.

**CONCLUSION:**

This report recommends that Council receive and note this report.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not Applicable.

**b. Budget/Long Term Financial Plan:**

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

**8 [GM-CM] Destination Tweed - Audited Financial Statements 2013/14**

**SUBMITTED BY: Holiday Parks and Economic Development**

---



## **Strengthening the Economy**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 3 Strengthening the Economy
  - 3.1 Expand employment, tourism and education opportunities
  - 3.1.4 Market the Tweed as a destination for business and tourism
- 

### **SUMMARY OF REPORT:**

This report presents the audited financial statements for 2013/14 for Destination Tweed. This organisation is a separate entity from Council and as such they are responsible for keeping their own books and obtaining independently audited financial statements.

This report recommends that Council endorse the 2013/14 Audited Financial Statements from Destination Tweed.

### **RECOMMENDATION:**

**That:**

- 1. Council endorses the 2013/14 Audited Financial Statements from Destination Tweed**
- 2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

**REPORT:**

As Destination Tweed is an independent organisation from Council their financial statements are provided as 'confidential in confidence'. Subsequently these statements are attached to this report as a confidential attachment.

**OPTIONS:**

This report to Council presents the audited financial statements from Destination Tweed for the financial year 2013/14. Council is a major financial contributor to Destination Tweed through its contract to provide tourism and economic development promotion services. The options Council has available are:

1. Endorses this audited financial report; or
2. Postpones endorsement of this Quarterly Report

**CONCLUSION:**

It is recommended that Council endorses the audited financial statements from Destination Tweed for the financial year 2013/14.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not Applicable

**b. Budget/Long Term Financial Plan:**

Not Applicable

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Destination Tweed Audited Financial Statements 2013/14  
(ECM 3454070)

---

**9 [GM-CM] Contract EC2014-068 - Dealings Between Tweed Shire Council and Leda Holdings Pty Ltd - Independent Chair**

**SUBMITTED BY: General Manager**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
  - 1.3.2 Council will seek the best value in delivering services
- 

### **SUMMARY OF REPORT:**

At its meeting on 19 June 2014 Council resolved:

*"that:*

1. *In relation to Tender EC2014-068, for Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings, Council accepts the submission from APP Corporation Pty Ltd, in particular the nominee Clare Brown.  
..."*

Council has recently received correspondence from Ms Brown advising that she has ceased working with APP Corporation Pty Ltd and is now employed by Urbis Valuations Pty Ltd. Ms Brown is seeking to continue with the appointment in view of her change of employment and requests that Council favourably considers to continue in her role as the Independent Chair facilitating discussions between Tweed Shire Council and LEDA Holdings Pty Ltd.

It is worth noting that the resolution of 19 June 2014 appointing Ms Brown from APP Corporation Pty Ltd was particular in that it nominated her. The terms of Ms Brown's engagement remains as tendered.

### **RECOMMENDATION:**

**That Council:**

- 1. Maintains its arrangement with Ms Clare Brown, Director - Planning with Urbis in her role Independent Chair as approved in relation to Contract EC2014-068.**
  - 2. Notes that Ms Clare Brown's employment has changed from APP Corporation Pty Ltd to Urbis Valuations Pty Ltd.**
-

- 3. Notes the minor agreed variations to the Terms of Conditions of Contract, which are immaterial and included as Attachment 3 to this report.**

**REPORT:**

At its meeting on 19 June 2014 Council resolved:

*"that:*

1. *In relation to Tender EC2014-068, for Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings, Council accepts the submission from APP Corporation Pty Ltd, in particular the nominee Clare Brown.*
- ..."*

Council has recently received correspondence from Ms Brown advising that she has ceased working with APP Corporation Pty Ltd and is now employed by Urbis Valuations Pty Ltd. Ms Brown is seeking to continue with the resolved appointment and submits for Council's consideration to continue in her role as the Independent Chair facilitating discussions between Tweed Shire Council and LEDA Holdings Pty Ltd.

Ms Brown's letter and payment requirements requested by her new employer Urbis are attached for Council's information. Urbis have requested minor modifications which are immaterial to the Terms of Conditions of Contract EC2014-068 which were reviewed as acceptable by Council's Contracts Unit, with the exception of the requested amendment to Clause 3.14a) which was not agreed to, as per Attachment 2.

Attachment 3 highlights the agreed changes and countersigned by Urbis.

**OPTIONS:**

That Council supports the continuation of Ms Clare Brown in her role Independent Chair under Tender EC2014-068, for Independent Chair to facilitate dealings between Tweed Shire Council and Leda Holdings Pty Ltd.

**CONCLUSION:**

Nil.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Version 1.5

**b. Budget/Long Term Financial Plan:**

Cost sharing agreement has been allowed within the Budget.

**c. Legal:**

Local Government Act 1993 and Local Government (General) Regulations 2005

**d. Communication/Engagement:**

**Inform** - we will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- |               |  |
|---------------|--|
| Attachment 1. | Letter advising of Change of Employment - Ms Clare Brown (ECM 3458678)                                     |
| Attachment 2  | Letter from Urbis accepting Council Terms under Contract EC2014-068 (ECM3481001)                           |
| Attachment 3  | Signed amended Terms of Conditions of Contract EC2014-068 with agreed amendments highlighted (ECM 3482611) |
-



## REPORTS FROM THE ACTING DIRECTOR COMMUNITY AND NATURAL RESOURCES

### 10 [CNR-CM] Community Halls Governance Framework

SUBMITTED BY: Community and Cultural Services

Valid



**Civic Leadership**



**Supporting Community Life**

---

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1.3.3	Existing and future community assets will be properly managed and maintained based on principles of equity and sustainability
2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.6	Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities

---

#### SUMMARY OF REPORT:

There are 12 Council-owned community halls managed by volunteer committees in Tweed Shire. Historically (and currently) these halls have provided spaces for an eclectic range of social and cultural; recreational and educational; environmental and economic activities.

This report focuses on nine halls: Chillingham, Crabbes Creek, Crystal Creek, Doon Doon, Fernvale, Limpinwood, Piggabeen, Pottsville Beach and Tumbulgum. Three halls have been omitted from this report: Kingscliff Amenities Hall, which is managed by Council through a commercial contract, and is adequately insured; Kunghur Hall, which is operating as a pre-school with an interim management arrangement and insurance in place; and Reserve Creek Hall which is no longer open to the public.

Several issues have been identified with respect to hall management that affect ongoing activation of the halls, and the risk exposure of both Council and individual Hall Committees:

- Hall usage and ongoing financial viability;
- Fitness for purpose;
- Management capacity and sustainability;
- Insurance; and
- Governance and management arrangements.

The development and implementation of a Hall Governance Model is necessary to begin the work of addressing these and other issues.

**RECOMMENDATION:**

**That Council:**

- 1. Adopts the formation of a Community Halls Advisory Committee for management of community halls.**
- 2. Endorses consultation with the existing community hall management committees to develop Terms of Reference for the Community Halls Advisory Committee.**

## REPORT:

The Community Hall Governance Framework builds on options and recommendations outlined in the Community Buildings Management Plan - Governance Review prepared by CT Management Group. The work aligns with the Community Infrastructure Framework and has implications for how Council manages all of its facilities in future.

There are twelve Council-owned community-managed halls located in villages and communities throughout Tweed Shire. The Community Hall Governance Framework focuses on nine halls: Chillingham, Crabbes Creek, Crystal Creek, Doon Doon, Fernvale, Limpinwood, Piggabeen, Pottsville Beach and Tumbulgum. Three halls have been omitted from this report: Kingscliff Amenities Hall, which is managed by Council through a commercial contract, and adequately insured; Kunghur Hall, which is operating as a pre-school with an interim management arrangement and insurance in place; and Reserve Creek Hall which is no longer open to the public.

Community halls are examined in relation to their local demography, their intrinsic historical and social significance, the real or perceived competition for resources and patronage, and the roles and responsibilities of Council and the individual hall committees in ensuring viable sustainable futures for the halls. Consultations held between May and August 2014 identified a number of issues including:

- Hall usage - Some halls are financially viable with good patronage; others are underutilised.
- Investment - Significant building work has been carried out on underutilised halls; discussions regarding the ongoing resourcing of Council's community halls must include a realistic assessment of their current actual and future potential usage.
- Sustainability of the hall committees - Management committees must be in a strong position to respond to social, cultural, environmental and economic opportunities.
- Insurance - Steps must be taken to mitigate the risk exposure of both Council and the individual hall committees.
- Governance - A governance model must be implemented that balances Council's and the wider community's interest and investment in the halls.

The focus of this report is on *governance*.

### Governance

Tweed Shire Council has provided authority to nine community groups - hall committees - to manage its community halls. The groups are not Committees of Council. They function largely autonomously with minimal oversight by Council. Council does not require that committees regularly provide information regarding membership, incorporation status, Model Constitutions or insurance status. In undertaking their roles on hall committees, members are not recognised as volunteers of Council, and are not covered under Council's Public Liability or Personal Accident insurance. Only four committees have their own insurance.

Council does not recruit appoint, train or up-skill the hall management committees. Some long term committee members report that the burden of running the halls is heavy and getting heavier, and that few in their communities help in a significant way to manage the halls, or run activities. Others note that increased bureaucracy and compliance based responsibilities such as risk assessments take away from the true nature of the work.

Where halls are underutilised and committees lack the capacity and resources to continue business as usual, difficult decisions will need to be made about future investment or divestment. Such deliberations will require consultation with the community hall committees and the wider community particularly where halls are located on Public lands zoned for community use.

Hall committees are not adequately informed about Council policies and protocols such as the Access and Inclusion or Code of Conduct policies. There are no formal mechanisms in place for Council to update committee members about the legislative requirements of the Local Government Act 1993; Crown Lands Act 1989; the Disability Discrimination Act 1992; the Workplace Health and Safety Act 2011; or the Associations Incorporation Act 2009.

Council does not consistently ask for or retain the following information:

- hire arrangements (fees and bonds, hire agreements, Certificates of Currency);
- hall usage documents (booking receipts, records of hire, risk assessments and registers of volunteers);
- leases, licenses or management agreements;
- financial records; and/or
- AGM minutes and reports.

From a workplace, health and safety perspective and for insurance reasons, Council must ensure that all hall committees keep accurate records and retain copies for reference as documented evidence should a claims-incident arise.

There are no formal arrangements or Terms of Reference in place for the management committees which outline working arrangements, administrative and reporting requirements, decision making limitations, and/or methods for ensuring statutory and legislative compliance.

Council can delegate its responsibility for the care, control and management of community halls to the committees under provisions of the Local Government Act 1993 and the Crown Lands Act 1989; however, in the absence of formal management agreements, hall committees may be contravening the Acts by engaging in the many of their regular activities including:

- the making of a charge;
- the fixing of a fee;
- the voting of money for expenditure on its works, services or operations;
- the adoption of a financial statement included in an annual financial report AGM, reports and minutes; and
- the decision to contribute money or otherwise grant financial assistance to persons.

While Council is committed to legislative compliance and to the continual improvement of its facilities' management performance, its informal approach to managing community halls, may have contributed to a situation in which accountability and compliance issues put both Council and the hall committees at risk.

To address these and other issues, it is recommended that Council adopts a Community Halls Advisory Committee Governance Model as depicted below.



1. An Advisory Committee of Council will be formed to oversee management and operations of community hall committees, and will function in a manner consistent with other Advisory Committees. Composition of the committee will include a primary and alternative delegate from each of the community hall management committees, a member (and alternate) from Council's elected body and a staff member in attendance in an ex officio capacity. Appointments to the Advisory Committee will align with Council's current committee structure. The Committee will not have delegation to make decisions committing Council resources but will be able to make recommendations to Council. It is envisaged the committee will meet quarterly.
2. Council will adopt Terms of Reference developed in consultation with the Community Halls Advisory Committee.
3. An officer in the Community and Cultural Services Unit will support the Community Halls Advisory Committee and the individual community hall committees.
4. Council will deliver appropriate training to community hall committee members ie. an overview of the Model Code of Conduct, risk assessments, and workplace health and safety.
5. A Policy and Protocol including operational guidelines and associated templates will be prepared for community halls.

**OPTION:**

**A.** That Council:

1. Recommends the formation of a Community Halls Advisory Committee for management of community halls.
2. Endorses consultation with the existing community hall management committees to develop Terms of Reference for the Community Halls Advisory Committee.

**B.** That Council closes to the public, Community Halls that do not meet insurance and building compliance requirements under relevant legislation.

- C. That Council takes no action and accepts the risk for Community Halls that do not meet insurance and building compliance requirements under relevant legislation

**CONCLUSION:**

Tweed Shire's community hall committees range on a continuum from well supported and active, to over burdened and unsustainable into the future. Several committees note that insurance and compliance concerns are forcing them to restrict the number and types of activities they allow in the halls.

The hall management committees have welcomed the offer from Council to investigate governance and insurance options.

No assumptions are made with respect to the long term sustainability of individual community halls, however any plans for the activation of the halls in future are contingent upon the aforementioned governance and insurance issues being addressed now.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

A baseline insurance package will cost in the order of up to \$500 excluding GST per hall. This amount will be funded from A1561 Community Building Maintenance. Resources required to support the recommended Community Halls Advisory Committee Governance Model will be provided from existing staff within the Community and Cultural Services Unit with expert input from key staff to deliver particular training elements.

**c. Legal:**

- Local Government Act 1993
- Crown Lands Act 1989
- Crown Lands Regulation 2006
- Associations Incorporation Act 2009
- Disability Discrimination Act 1992
- NSW Disability Services Act 1993
- Building Code of Australia
- Disability (Access to Premises-Buildings) Standards 2010
- Workplace Health and Safety Act 2011

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Draft Community Hall Chart (ECM 3480299)

---

## 11 [CNR-CM] Community Infrastructure Framework

SUBMITTED BY: Community and Cultural Services

Valid



**Civic Leadership**



**Supporting Community Life**



**Strengthening the Economy**

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1.3.3 Existing and future community assets will be properly managed and maintained based on principles of equity and sustainability
- 2 Supporting Community Life
  - 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
    - 2.1.1 Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities
    - 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
  - 2.3 Provide well serviced neighbourhoods
    - 2.3.1 Advocate for the provision of affordable and accessible health care, aged care, mental health, youth and family services and other community services
    - 2.3.6 Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities
  - 2.5 Provide vibrant and accessible town, community and business centres
    - 2.5.1 Encourage establishment of well located centres to provide a wide range of mixed-use retail, commercial and community services, supported by high amenity public spaces, quality urban and good access by public transport or bicycle
    - 2.5.2 Facilitate the development of a network of neighbourhood centres and community places to meet the needs of local residents
- 3 Strengthening the Economy
  - 3.1 Expand employment, tourism and education opportunities
    - 3.1.3 Provide opportunities for visitors to enjoy access to the arts through cultural facilities, festivals and programs

### SUMMARY OF REPORT:

Public exhibition of Council's draft *Community Infrastructure Framework* concluded on 12 September 2014. The framework has been developed to support a network approach to planning, delivery and management of Tweed Shire Council's community and cultural facilities. It outlines the methodology for a shire wide Community and Cultural Facilities Network Plan scheduled to commence preparation in early 2015, as per the Community Infrastructure Planning Work Program endorsed by Council on 17 July 2014.

The *Community Infrastructure Framework* has been revised following consideration of submissions and peer review by an external social planning consultant, Elliot Whiteing Social Planning Solutions. Key changes to the framework include:

- clarifying the scope of the framework
- including guidance on allocation of land
- a stronger focus on internal planning and coordination

- communications requirements
- refined articulation of the *network planning* phase within the framework

Elliot Whiteing found that the framework provides a robust, practical and equitable methodology to assess and deliver on community and cultural facility needs in Tweed Shire.

An internal community infrastructure planning and delivery group is proposed to support implementation of the Community Infrastructure Framework as outlined in this report, and to coordinate technical input to the shire wide Community and Cultural Facilities Network Plan.

**RECOMMENDATION:**

**That Council:**

1. **Endorses the revised Community Infrastructure Framework.**
2. **Notes an internal community infrastructure planning and delivery group is proposed to support implementation of the Community Infrastructure Framework as outlined in this report.**



## REPORT:

On 17 July 2014 Council received a report on the draft *Community Infrastructure Framework* and resolved that:

1. *Council endorses the Community Infrastructure Planning Work Program presented in this report.*
2. *The Community Infrastructure Framework be placed on public exhibition for 42 days commencing 29 July 2014.*
3. *A report on comments received from public exhibition of the Community Infrastructure Framework and any proposed changes to the framework be brought back to Council in October 2014.*

The *Community Infrastructure Framework* has been developed to support a network approach to planning, delivery and management of Tweed Shire Council's community and cultural facilities. It outlines the methodology for a shire wide Community and Cultural Facilities Network Plan scheduled to commence preparation in early 2015, as per the Community Infrastructure Planning Work Program endorsed by Council on 17 July 2014.

The public exhibition period for the draft *Community Infrastructure Framework* concluded on 12 September 2014. Council received nine submissions on the draft framework and provided a stakeholder briefing on 20 August 2014 attended by 18 people including representatives from community and government organisations, schools and Council officers. Two of the submissions received were late submissions. Issues raised in the late submissions had substantively already been considered in review of the framework in response to similar issues raised in other submissions and at the 20 August stakeholder briefing.

A summary of communications activity during the exhibition period is attached to this report (Attachment 1).

As per the work plan presented in the 17 July 2014 report to Council, technical advice has been sought to review the draft framework. Elliot Whiteing Social Planning Solutions was engaged as a consultant to peer review the draft *Community Infrastructure Framework* and a summary of their findings is attached to this report (Attachment 2). The consultant also considered issues identified in submissions received during the public exhibition period in their advice to Council.

### **Changes to the Community Infrastructure Framework**

Elliot Whiteing Social Planning Solutions found that the framework provides a robust, practical and equitable methodology to assess and deliver on community and cultural facility needs in Tweed Shire. Changes to the framework respond to public submissions and advice from the peer review. They have been discussed with the Community Infrastructure Framework Internal Working Group and are summarised in the list below.

- Clarify the scope of the framework to consistently identify the four sub networks the framework applies to:
  - libraries
  - community centres
  - exhibition spaces

- performance arts spaces

Note: clarification of the scope has not changed the range of facility types included in the scope of the framework.

- Inclusion of guidance on allocation of land by Council for community activities and services.
- A stronger focus on internal planning and cooperation.
- Articulating how the framework and subsequent network plan will be shared and communicated to stakeholders.
- Refined articulation of the network planning phase of the planning and delivery cycle, including application of standards of service in analysis of community and cultural facility requirements, and analysis of options for configuring facilities within the community and cultural facilities network.

The revised *Community Infrastructure Framework* is attached to this report (Attachment 3).

### **Implementing the *Community Infrastructure framework***

An internal Tweed Shire Council community infrastructure planning and delivery group is proposed comprising members of relevant Council work units to:

- identify relevant objectives and outcomes of other Council plans
- co-ordinate facility planning and delivery
- develop shared performance indicators for facility delivery and co-ordinate monitoring and performance reporting
- convene a community advisory panel meeting on an annual basis for a three year term to support review of facility and network performance
- connect Council and community facilities with an information sharing network to encourage collaboration in planning and programming

The internal community infrastructure planning and delivery team will also coordinate provision the technical input required to prepare the Shire wide Community and Cultural Facilities Network Plan. As per the Community Infrastructure Planning Work Program endorsed by Council's resolution on 17 July 2014, the network plan is scheduled to commence preparation in early 2015.

### **OPTIONS:**

#### **Option 1 (recommended)**

That:

- Council endorses the revised Community Infrastructure Framework.
- Council notes an internal community infrastructure planning and delivery group is proposed to support implementation of the Community Infrastructure Framework as outlined in this report.

#### **Option 2**

That Council notes the changes proposed to the Community Infrastructure Framework and requests further information.

**CONCLUSION:**

The *Community Infrastructure Framework* provides a robust, practical and equitable methodology to assess and deliver on community and cultural facility needs in Tweed Shire. Public submissions received and findings of the peer review have been considered, and added considerable value to the framework as per the changes summarised in this report. The framework provides the methodology for the shire wide Community and Cultural Facilities Network Plan scheduled to commence preparation in early 2015.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

**b. Budget/Long Term Financial Plan:**

The Community Infrastructure Framework sets out the methodology for future community infrastructure planning, including preparation of the shire wide Community and Cultural Facilities Network Plan scheduled to commence preparation in early 2015. The network plan will inform review of relevant Section 94 Development Contribution Plans and development of other funding strategies to be determined. Financial implications of the network plan will be presented to Council for consideration in subsequent reports.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Consult**-We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- |               |  |
|---------------|--|
| Attachment 1. | Communications Report: public exhibition of the Community Infrastructure Framework (ECM 3481025) |
| Attachment 2. | Peer Review Report: Community Infrastructure (ECM 3481047)                                       |
| Attachment 3. | Community Infrastructure Framework (ECM 3481059)   |
-

12 [CNR-CM] Submission on Marketing of Australian Sugar

**SUBMITTED BY:** Natural Resource Management

Valid



## Strengthening the Economy



## Caring for the Environment

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- |     |   |
|-----|---|
| 3   | Strengthening the Economy   |
| 3.4 | Provide land and infrastructure to underpin economic development and employment |
| 4   | Caring for the Environment  |
| 4.5 | Improve the environmental capacity of the Tweed agriculture lands               |
- 

### SUMMARY OF REPORT:

On 4 September 2014, the Senate moved that the matter of current and future arrangements for the marketing of Australian sugar be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 November 2014. The Committee Secretariat has invited Tweed Shire Council to lodge a submission to the inquiry. Submissions are due by 13 October 2014.

### RECOMMENDATION:

**That Council notes the submission to the Senate Standing Committee on Rural and Regional Affairs and Transport in relation to the marketing of Australian sugar.**

**REPORT:**

On 4 September 2014, the Senate moved that the following matters be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 27 November 2014.

Current and future arrangements for the marketing of Australian sugar, including:

- a. The impact of proposed changes on the local sugar industry, including the effect on grower economic interest sugar;
- b. Equitable access to essential infrastructure;
- c. Foreign ownership levels in the industry and the potential to impact on the interests of the Australian sugar industry;
- d. Whether there is an emerging need for formal powers under Commonwealth competition and consumer laws, in particular, whether there are adequate protections for grower-producers against market imbalances; and
- e. Any related matters.

A copy of Council's submission to the Senate Standing Committee on Rural and Regional Affairs and Transport in relation to the marketing of Australian sugar is reproduced below:

Council Reference: ECM3467973



29 September 2014

Customer Service | 1300 292 872 | (02) 6670 2400

tsc@tweed.nsw.gov.au  
[www.tweed.nsw.gov.au](http://www.tweed.nsw.gov.au)

Fax (02) 6670 2429  
PO Box 816  
Murwillumbah NSW 2484

Please address all communications  
to the General Manager

ABN: 90 178 732 466

Mr Tim Watling  
Committee Secretary  
Senate Rural and Regional Affairs and Transport  
References Committee  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Email: [rrat.sen@aph.gov.au](mailto:rrat.sen@aph.gov.au)

Dear Mr Watling

**Submission to the inquiry into the current and future arrangements for the marketing of Australian sugar**

Thank you for your letter of 8 September 2014 regarding the inquiry into the current and future marketing arrangements for Australian sugar and inviting Tweed Shire Council to make a submission.

Announcement of the inquiry is welcomed and considered essential in providing certainty about the future of one of the most significant agricultural industries in the Tweed. The changes occurring in sugar marketing in Australia poses a real threat to an agricultural industry that contributes significantly to our local economy and social fabric.

This submission does not attempt to provide specific responses to each of the Terms of Reference but rather provide an indication of the importance of the sugar cane industry to the Tweed local government area; relay our concerns about the proposed changes in sugar marketing and the need for transparent marketing arrangements that provide some certainty for growers, and if possible support mechanisms that protect this industry from unfair trade arrangements.

The sugar industry is an important part of our local economy and represents the highest value agricultural product in the Tweed Shire. In 2010/11 the value of production attributed to sugar cane in the Tweed was in excess of \$16.8m which represents approximately 30% of the value of total agricultural production in the shire and 27% of total sugar production in the state. The local cane industry continues to compete on the global market and has been able to withstand a range of environmental, social and economic pressures through innovation and collaborative working relationships with its stakeholders including Tweed Shire Council.

The industry provides additional economic benefits beyond its direct agricultural output, generating employment and commerce for a range of small businesses in the Tweed. The revenue generated through sugar production enables reinvestment to sustain other agriculture industries including cattle grazing and horticulture through farm diversification activities and joint ventures between farmers. Furthermore, the industry makes a significant contribution to renewable energy generation from sugar cane waste products with the local Condong Sugar Mill generating electricity for up to 60,000 homes.





Sugar cane cultivation is the principal land use over 8000 hectares of the Tweed's coastal floodplain and is currently the only economically viable land use due to constraints on development and otherwise limited agricultural potential.

Tweed Shire Council is currently developing the Tweed Shire Rural Land Strategy that will set a blueprint for the future of rural land use in the Shire. A Resource Inventory and Land Capability Assessment prepared in December 2013 in conjunction with the Strategy highlights the importance of cane farming as the principal land use on the coastal floodplain.

The sugar cane growing areas of the coastal floodplain are an inherent part of the local landscape which combined with the attractive beaches and World Heritage rainforests is a key drawcard for tourists and new residents. Furthermore, the people of the Tweed through the Tweed Shire Community Strategic Plan 2011 - 2021 have identified a need to foster a viable farming community and improve the environmental capacity of Tweed farmland. The Tweed depends on continuation of the stewardship role provided by sustainable cane farm operators in order to achieve the environmental outcomes that our communities desire.

Tweed Shire Council is concerned about the proposed direction of sugar marketing in Australia and the threat it poses to the viability of cane farming operations in the Tweed. The sugar grown in the Tweed is largely sold on the domestic market which leaves the local industry exposed to the competitive behaviours of some raw sugar importers.

Tweed Shire Council calls on the Committee to ensure that appropriate mechanisms are in place that enables the continuation of transparent sugar marketing and to prevent anti-competitive activities by foreign interests. The 'single-desk' approach currently utilised provides an appropriate level of transparency required for growers to be confident that marketing decisions are made in the best interests of the industry.

Sugar cane farming operates at the heart of the Tweed, both economically and geographically, and socially, and is considered a long term stable component of the Tweed in all aspects. The loss of this industry will have significant flow-on effects across not just the agricultural sector, but a diverse range of associated industries.

Tweed Shire Council is concerned for the livelihoods of hundreds of local growers and the potential flow-on effects to small business from the future marketing intentions of the largest sugar millers. I look forward to the outcomes of the inquiry and trust that the Committee will develop recommendations that ensure the sustainable future of the industry, for both millers and growers, in the Tweed.

Yours faithfully

 Troy Green  
Sep 29 2014 3:25 PM



**Troy Green**  
GENERAL MANAGER

**CONCLUSION:**

This report is provided for Council's information.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

**b. Budget/Long Term Financial Plan:**

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---



**13 [CNR-CM] Biofund Koala Connections Project Implementation**

**SUBMITTED BY: Natural Resource Management**

Valid



**Caring for the Environment**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 4 Caring for the Environment
- 4.2 Conserve native flora and fauna and their habitats
- 4.2.1 Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire

**SUMMARY OF REPORT:**

Council resolved at the June 2012 Council meeting to accept a Department of Sustainability, Environment, Water, Population and Communities Biodiversity Fund grant of \$2,017,000 awarded to Tweed and Byron Shire Councils to implement the project *Linking Koala Habitat and Endangered Ecological Communities*. The project, known as Koala Connections is managed and administered by Tweed Shire Council. In accordance with the application, \$100,000 over four years will be contributed to the project from Council's Biodiversity Grant Program.

The purpose of this report is to seek Council's approval to fund works on fourteen private properties as listed below, in accordance with the provisions of the grant.

**RECOMMENDATION:**

**That Council approves the expenditure under the Biodiversity Fund Koala Connections project for works on fourteen private properties as listed in the table below:**

Name	Area	Details	Cost Estimate (\$ excl. GST)
Marrocco	Reserve Creek	Install 410m of fencing to protect plantings Plant 1000 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (2-3 person days)	\$18,000
O'Hara	Clothiers Creek	Install 300m of fencing to protect plantings Plant 1100 rainforest and Koala feed trees and maintain for 12 months	\$16,800

<b>Name</b>	<b>Area</b>	<b>Details</b>	<b>Cost Estimate (\$ excl. GST)</b>
<b>Penglase</b>	<b>Sleepy Hollow</b>	<b>Install 430m of fencing to protect plantings Plant 1200 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (4 person days)</b>	<b>\$21,000</b>
<b>Martens/ Phillip</b>	<b>Reserve Creek</b>	<b>Install 360m of fencing to protect plantings Plant 1200 rainforest and Koala feed trees and maintain for 12 months</b>	<b>\$19,800</b>
<b>Clifford</b>	<b>Farrants Hill</b>	<b>Plant 700 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (2 person days)</b>	<b>\$9,120</b>
<b>Ciesla</b>	<b>Clothiers Creek</b>	<b>Plant 1200 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (6 person days)</b>	<b>\$16,560</b>
<b>Treadgold</b>	<b>Clothiers Creek</b>	<b>Install/upgrade 245m of fencing to protect plantings Plant 1200 rainforest and Koala feed trees and maintain for 12 months</b>	<b>\$17,340</b>
<b>Tod</b>	<b>Eviron</b>	<b>Plant 700 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (3-4 person days)</b>	<b>\$9,840</b>
<b>Krieger/ Morrison</b>	<b>Clothiers Creek</b>	<b>Plant 450 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (6-8 person days)</b>	<b>\$8,280</b>
<b>Zervos</b>	<b>Farrants Hill</b>	<b>Plant 350 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (4 person days)</b>	<b>\$5,640</b>
<b>Watson- Alexander/ Alexander</b>	<b>Clothiers Creek</b>	<b>Plant 260 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (12 person days)</b>	<b>\$7,440</b>
<b>Potter/ Stratigos</b>	<b>Clothiers Creek</b>	<b>Plant 620 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (8-10 person days)</b>	<b>\$11,000</b>
<b>Manning</b>	<b>Clothiers Creek</b>	<b>Bush regeneration (12-14 person days)</b>	<b>\$5,040</b>
<b>Kelly</b>	<b>Clothiers Creek</b>	<b>Bush regeneration (10-12 person days)</b>	<b>\$4,320</b>
<b>TOTAL</b>			<b>\$170,180</b>

**REPORT:**

Council resolved at the June 2012 Council meeting to accept a Department of Sustainability, Environment, Water, Population and Communities Biodiversity Fund grant of \$2,017,000 awarded to Tweed and Byron Shire Councils to implement the project *Linking Koala Habitat and Endangered Ecological Communities*. The project, known as Koala Connections is managed and administered by Tweed Shire Council. In accordance with the application, a further \$100,000 over four years will be contributed to the project from Council's Biodiversity Grant Program.

The project will implement critical on-ground and educational actions arising from the Tweed Coast Koala Habitat Study (TCKHS) adopted by Council in February 2011 and the Draft Tweed Coast Comprehensive Koala Plan of Management (TCKPOM). Specific actions will include:

- Restoration of existing koala habitat.
- Connecting fragmented habitats through revegetation on private and public land.
- Installation of strategic fencing to restrict stock and prevent koala road strikes.
- Connecting landholders, community groups and individuals through educational media releases, training workshops and community tree planting working bees.

Together, these actions will help to provide a more secure future for koalas on the Tweed Coast and foster a sense of stewardship with landholders and the broader community.

The purpose of this report is to seek Council's approval to fund works on the properties of fourteen private landowners, as listed below, in accordance with the provisions of the grant.

The proposed works involve the provision of services by professional bushland regenerators to undertake weed control, tree planting, monitoring and evaluation and to assist the landholders to more effectively manage environmental weeds and ensure survival of the trees.

Name	Area	Details	Cost Estimate (\$ excl. GST)
Marrocco	Reserve Creek	Install 410m of fencing to protect plantings Plant 1000 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (2-3 person days)	\$18,000
O'Hara	Clothiers Creek	Install 300m of fencing to protect plantings Plant 1100 rainforest and Koala feed trees and maintain for 12 months	\$16,800
Penglase	Sleepy Hollow	Install 430m of fencing to protect plantings Plant 1200 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (4 person days)	\$21,000
Martens/ Phillip	Reserve Creek	Install 360m of fencing to protect plantings Plant 1200 rainforest and Koala feed trees and maintain for 12 months	\$19,800
Clifford	Farrants Hill	Plant 700 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (2 person days)	\$9,120

Name	Area	Details	Cost Estimate (\$ excl. GST)
Ciesla	Clothiers Creek	Plant 1200 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (6 person days)	\$16,560
Treadgold	Clothiers Creek	Install/upgrade 245m of fencing to protect plantings Plant 1200 rainforest and Koala feed trees and maintain for 12 months	\$17,340
Tod	Eviron	Plant 700 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (3-4 person days)	\$9,840
Krieger/ Morrison	Clothiers Creek	Plant 450 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (6-8 person days)	\$8,280
Zervos	Farrants Hill	Plant 350 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (4 person days)	\$5,640
Watson- Alexander/ Alexander	Clothiers Creek	Plant 260 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (12 person days)	\$7,440
Potter/ Stratigos	Clothiers Creek	Plant 620 rainforest and Koala feed trees and maintain for 12 months Bush regeneration (8-10 person days)	\$11,000
Manning	Clothiers Creek	Bush regeneration (12-14 person days)	\$5,040
Kelly	Clothiers Creek	Bush regeneration (10-12 person days)	\$4,320
<b>TOTAL</b>			<b>\$170,180</b>

**OPTIONS:**

1. That Council approves the expenditure under the Biodiversity Fund Koala Connections project for works on fourteen private properties as listed in the table contained within the report.
2. That Council does not approve the expenditure under the Biodiversity Fund Koala Connections project for works on fourteen private properties as listed in the table contained within the report.

**CONCLUSION:**

The proposed works will significantly enhance koala habitat, Endangered Ecological Communities and fauna corridors in the priority areas of Sleepy Hollow, Farrants Hill, Reserve Creek and Clothiers Creek and will contribute to implementation of recommendations in the Draft Comprehensive Tweed Coast Koala Plan of Management.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Community Strategic Plan 2013-2023

Strategy 4.2.2 *Encourage and promote rehabilitation and management of native vegetation and wildlife habitat in Tweed Shire.*

**b. Budget/Long Term Financial Plan:**

\$2,017,000 from Department of Sustainability, Environment, Water, Population and Communities Biodiversity fund LSP-947456-1336, which is augmented with a further \$100,000 over four years from Council's Biodiversity Grant Program.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

14 [CNR-CM] Biodiversity Grants

SUBMITTED BY: Natural Resource Management

Valid



## Caring for the Environment

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 4 Caring for the Environment
  - 4.2 Conserve native flora and fauna and their habitats
  - 4.2.2 Encourage and promote rehabilitation and management of native vegetation and wildlife habitat in Tweed Shire
- 

### SUMMARY OF REPORT:

On 27 January 2009 Council unanimously approved the implementation of a Biodiversity Grant Program to assist private landholders, community groups and researcher to undertake projects that contribute to maintaining and improving biodiversity values within Tweed Shire.

The purpose of this report is to seek Council's approval to fund the private landholders, listed below, in accordance with the provisions of the Biodiversity Grant Program.

### RECOMMENDATION:

That Council approves the proposed Biodiversity Grant listed below:

Name	Area	Estimate (\$)	Description
McAlpine	Chillingham	\$4,248	Site action plan for the property. Six person days of ecological restoration.
Clark	Urliup	\$4,000	Eight person days of ecological restoration.
Taylor	Palmvale	\$3,200	Eight person days of ecological restoration.
Girvan	Tomewin	\$5,280	Site action plan for the property. Eight person days of ecological restoration.
	Total	\$16,728	

## REPORT:

On 27 January 2009 Council approved the implementation of a Biodiversity Grant Program to assist private landowners, community groups and researchers to undertake projects that contribute to maintaining and improving biodiversity values within Tweed Shire. This initiative represents an important component of Council's Biodiversity Program.

The Biodiversity Grant Program supports projects that contribute to the following ecological priorities within Tweed Shire:

- Rehabilitation of degraded habitats
- Restoration of previously cleared areas
- Threatened species recovery
- Management of threatening processes
- Monitoring and research

Applications under the program can be made throughout the year and are assessed using the following criteria:

- Ecological benefits (eg. ecological status, multiple ecological priorities, contribution to State and regional biodiversity targets etc);
- Value for money (including in kind contributions, external funding);
- Technical capability and applicant track record;
- Site security (preference will be given secure sites eg. conservation covenants, Environmental Protection zones etc);
- Ongoing maintenance requirements;
- Spread of projects across ecological priorities and the Shire (including projects funded from other sources).

The purpose of this report is to seek Council's approval to fund the private landowners listed below in accordance with the provisions of the Biodiversity Grant Program.

The proposed grants involve the provision of services by professional bushland regenerators to assist landholders to more effectively manage environmental weeds, protect native vegetation and improve wildlife habitat.

Name	Area	Estimate (\$)	Description
McAlpine	Chillingham	\$4,248	Site action plan for the property. Six person days of ecological restoration.
Clark	Urliup	\$4,000	Eight person days of ecological restoration.
Taylor	Palmvale	\$3,200	Eight person days of ecological restoration.
Girvan	Tomewin	\$5,280	Site action plan for the property. Eight person days of ecological restoration.
	<b>Total</b>	<b>\$16,728</b>	

**OPTIONS:**

1. That Council approves the proposed Biodiversity Grants to assist private landholders to undertake the projects listed in the above table.
2. That Council does not approve the proposed Biodiversity Grants to assist private landowners to undertake the projects listed in the above table.

**CONCLUSION:**

This program is consistent with the adopted Tweed Vegetation Management Strategy 2004 and the Council resolution of 27 January 2009 which established the Biodiversity Grant Program.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

\$16,728 from existing Biodiversity Program budget.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---



**15 [CNR-CM] Council Licence from NSW Trade and Investment Crown Lands for Environmental Enhancement Structure - Terranora Broadwater**

**SUBMITTED BY: Natural Resource Management**

Valid



## **Caring for the Environment**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 4 Caring for the Environment
  - 4.3 Maintain and enhance Tweed's waterways and its catchments
  - 4.3.1 Manage water resources sustainably and minimise impact on the environment by achieving more integration of water supply, wastewater and stormwater services
- 

### **SUMMARY OF REPORT:**

Council has constructed an artificial bird roost in Terranora Broadwater. In order to finalise this project, a licence for the structure is required to be secured from NSW Trade and Investment Crown Lands.

The licence documentation has now been received and it is necessary for Council to resolve to approve entering into the licence and to execute under the Common Seal of Council.

### **RECOMMENDATION:**

**That Council:**

- 1. Enters into a licence with Trade and Investment Crown Lands on Terranora Broadwater located near Lot 431 DP 755740 for the purpose of an environmental enhancement structure together with the payment of Initial Market Rent of \$458.**
- 2. Executes the licence documentation under the Common Seal of Council.**

**REPORT:**

Council has constructed a roost platform in Terranora Broadwater for shorebirds in accordance with approvals under Part V of the Environmental Planning and Assessment Act 1979 and conditions required by the Department of Primary Industries Fisheries and Aquaculture and NSW Roads and Maritime Services. The purpose of the platform is to trial an artificial spring tide roost for shorebirds as many historic roost sites are no longer suitable for many species, particularly migrants from the northern hemisphere.

NSW Trade and Investment Crown Lands has made an Offer of Licence to Council to authorise the use of the land for the environmental enhancement structure. To accept the offer of the licence, two copies of the licence documentation must be executed under the Common Seal of Council and returned to NSW Trade and Investment, together with the payment of Initial Market Rent of \$458.

Initial rent is \$458, paid annually for three years until the end of the Market Rent Review Period upon which the rent shall be adjusted in accordance with the Consumer Price Index.

**OPTIONS:**

1. That Council approves entering into a licence with Trade and Investment Crown Lands on Terranora Broadwater located near Lot 431 DP 755740 for the purpose of an environmental enhancement structure.
2. That Council does not approve entering into a licence with Trade and Investment Crown Lands on Terranora Broadwater located near Lot 431 DP 755740 for the purpose of an environmental enhancement structure.

**CONCLUSION:**

A Council resolution to accept the offer of licence from NSW Trade and Investment and execution of the lease documents under Common Seal will bind Council to the terms, conditions and provisions of the licence and formal execution on behalf of the Minister.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Licence fee will be paid from the Waterways Assets Management budget allocation.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

**16 [CNR-CM] Draft Policy - Use of Foyster's Jetty for Emergency Vessel Repairs**

**SUBMITTED BY: Natural Resource Management**

Valid



## **Caring for the Environment**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 4 Caring for the Environment
  - 4.4 Manage the Tweed coastline to ensure a balance between utilisation and conservation
- 

### **SUMMARY OF REPORT:**

This report contains a draft policy for the use of Foyster's Jetty for emergency vessel repairs. Foyster's Jetty is a Council owned and managed facility on Minjungbal Drive, Tweed Heads South.

The objective of this policy is to:

- Set out Council's position on allowing use of Foyster's Jetty for undertaking emergency repairs to vessels.
- Describe conditions applicable to such use.

### **RECOMMENDATION:**

**That Council exhibits the draft policy "Use of Foyster's Jetty for Emergency Vessel Repairs" for a period of 28 days and accepts public submissions for a period of 42 days as per Section 160 of the Local Government Act 1993.**

## **REPORT:**

Foyster's Jetty is located on Minjungbal Drive, Tweed Heads South, approximately 100m south of the Boyd's Bay Bridge.

The jetty consists of a timber wharf with two floating pontoons attached. One pontoon provides facilities for vessel sewage pump out. The facility is used frequently by owners of vessels moored nearby for loading and unloading passengers and equipment/supplies.

Use of the facility by vessels is restricted to a four hour limit, with no overnight berthing.

The jetty is not available for use as a pay per night berth.

On occasions, Council responds to complaints of vessels being moored on the jetty for extended periods without permission. Such use can obstruct other users. Council's Waterways Program responds to such complaints and works with Regulatory Services to advise users to comply with berthing time limits.

Council is occasionally asked to give permission to vessel owners for use of Foyster's Jetty for the purpose of making emergency repairs to vessels.

It would be fair and responsible for Council to grant such requests where they are legitimate, subject to a number of conditions, as outlined in this draft policy.

It is proposed that this policy be put on public exhibition so that interested parties have an opportunity to make comment prior to it being recommended for adoption.

## **OPTIONS:**

1. That Council places the Draft Policy - Use of Foyster's Jetty for Emergency Vessel Repairs on public exhibition for 28 days.
2. That Council does not place the Draft Policy - Use of Foyster's Jetty for Emergency Vessel Repairs on public exhibition for 28 days.
3. That Council amends the Draft Policy - Use of Foyster's Jetty for Emergency Vessel Repairs prior to public exhibition.

## **CONCLUSION:**

This policy seeks to establish clarity and conditions surrounding an existing practice and use. Adoption of a policy will provide greater certainty for staff and vessel owners on what can be allowed at the facility, and the responsibilities of vessel owners who intend to use it.

## **COUNCIL IMPLICATIONS:**

### **a. Policy:**

Corporate Policy Not Applicable.

### **b. Budget/Long Term Financial Plan:**

Not Applicable.

### **c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Draft Policy - Use of Foyster's Jetty for Emergency Vessel Repairs (ECM 3479465)

---

## REPORTS FROM THE DIRECTOR ENGINEERING

### 17 [E-CM] Review of Policy - Disposal of Surplus Goods, Materials and Portable Assets

SUBMITTED BY: Works

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Civic Leadership
1.3	Delivering the objectives of this plan
1.3.1	Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan

---

### SUMMARY OF REPORT:

The Surplus Soil Disposal Working Group has been reviewing practices associated with the disposal of surplus soil to conform with the requirements of the Protection of the Environment Operations Act. An outcome has been a revision of the processes involved in the disposal of surplus soil on private property sites. This in turn has led to a review of the Council Policy – Disposal of Surplus Goods, Materials and Portable Assets.

The draft revised policy was presented for consideration to the Corporate Management Team (CMT) at their meeting held 24 September 2014. The Decision from the CMT meeting is as follows:

**"Decision** that the Corporate Management Team endorses the Policy – Disposal of Surplus Goods, Materials and Portable Assets, subject to the amalgamation of the last two paragraphs as shown below, prior to submission for Council approval.

*Council will conduct an investigation of all case, where reports are received that Council Employees are misusing the provisions of this Policy and Council's Code of Conduct prescribes sanctions that may be actioned against an employee for breaches of this Policy."*

The amalgamation of the last two paragraphs has been undertaken and the draft revised Policy of Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1 is included as Attachment 1 for Council's adoption.

**RECOMMENDATION:**

**That Council:**

- 1. Adopts the draft revised Policy – Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1.**
- 2. In accordance with Section 161(2) of the Local Government Act 1993, considers that the amendments to the Policy – Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1 are not substantial and therefore no public exhibition of the policy is required.**

## REPORT:

As a consequence of a Notice to Provide Information and/or Records issued to Council by the Environment Protection Authority (EPA) in regards to the Depot Road Sports Field construction, a working group was formed to review practices with the disposal of surplus soil. More recently the EPA has advised of proposed amendments to the Protection of the Environment Operations (POEO) Act, and the Working Group has again been reviewing practices associated with the disposal of surplus soil to conform with the requirements of the current and future Act.

One of the outcomes of the reviews has been the need to re-examine the practice of disposal of surplus soil on approved private land sites. This practice involves:

- Advertising for expressions of interest from private landowners to receive fill
- Assessing the received expressions of interest against the provisions of the Environmental Planning and Assessment Act
- Preparing a list of approved fill sites
- Placing fill on the approved sites when surplus soil becomes available in the locality
- Keeping records of material(s) dumped at the approved sites.

As a consequence of revision of these practices, it has been necessary to review the subject Council Policy – Disposal of Surplus Goods, Materials and Portable Assets, to ensure conformity. The opportunity has been taken to vary some of the other clauses in the Policy.

The draft revised policy was presented for consideration to the Corporate Management Team (CMT) at their meeting held 24 September 2014. The Decision from the CMT meeting is as follows:

**"Decision** that the Corporate Management Team endorses the Policy – Disposal of Surplus Goods, Materials and Portable Assets, subject to the amalgamation of the last two paragraphs as shown below, prior to submission for Council approval.

*Council will conduct an investigation of all case, where reports are received that Council Employees are misusing the provisions of this Policy and Council's Code of Conduct prescribes sanctions that may be actioned against an employee for breaches of this Policy."*

The amalgamation of the last two paragraphs has been undertaken and the draft revised Policy of Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1 is included as Attachment 1 for Council's adoption.

## OPTIONS:

1. That Council adopts the draft revised Policy – Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1.; or
2. That Council does not adopt the draft revised Policy – Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1.



**CONCLUSION:**

It is recommended that Council adopt the draft revised Policy – Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Disposal of Surplus Goods, Materials and Portable Assets v1.0.

**b. Budget/Long Term Financial Plan:**

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Draft Policy - Disposal of Surplus Goods, Materials and Portable Assets - Version 1.1 (ECM 3479934)

---

**18 [E-CM] Rail Trail Pilot Project - Murwillumbah to Tweed Regional Gallery**

**SUBMITTED BY: Planning and Infrastructure**

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.3	Ensure local streets, footpaths and cycleways are provided, interconnected and maintained

---

### SUMMARY OF REPORT:

Council resolved to support the establishment of a rail trail on the Casino to Murwillumbah rail corridor at its May 2013 meeting. Due to this foresight, should the rail trail go ahead, Tweed Shire is well placed to potentially become the first stages of the regional rail trail to be constructed and possibly be the first rail trail on public land in all of NSW.

The Casino to Murwillumbah Rail Trail Feasibility Study, which Council made submissions to, was released in May 2014 and generally supported the rail trail concept. Infrastructure NSW is now assessing the rail trail to determine whether the project should receive State Government funding.

Since the May 2013 resolution, Council officers have been working to support and promote the establishment of a rail trail on the Casino to Murwillumbah rail corridor. Part of this has been the development of designs for a pilot project from Murwillumbah Station to Tweed Regional Gallery. The concept design for this project is completed, a planning application is being compiled and detailed design is underway. Some community consultation has also been undertaken and more is planned in the near future.

With Council's ongoing endorsement, it is recommended to place the pilot project concept plans on exhibition, expand community consultation and continue to support and promote the establishment of a rail trail on the Casino to Murwillumbah rail corridor.

### RECOMMENDATION:

**That Council:**

- 1. Notes the planning and design performed to date for the Rail Trail Pilot Project between Murwillumbah Station and Tweed Regional Gallery.**
- 2. Endorses the public exhibition of the Rail Trail Pilot Project concept design.**

3. **Endorses the expansion of community consultation activities related to the Rail Trail.**

## REPORT:

### Previous Council Resolutions

At the May 2013 Council meeting a report was tabled briefing Councillors of the outcomes and recommendations of the Casino to Murwillumbah Transport Study. Following this report Council resolved:

1. *In regard to the Casino to Murwillumbah Transport Study recommendations, Council:*
  - (a) *Notes with regret the recommendation regarding "Rail services" that rail services on the Casino to Murwillumbah rail line will remain suspended.*
  - (b) *Notes the recommendations regarding "Rail assets" and supports ongoing investment by the NSW Government to ensure the rail assets are maintained in a safe condition.*
  - (c) *Supports the recommendation regarding "Rail corridor" with the addition of the following additional dot points:*
    - *"That further detailed work be undertaken by the NSW Government to determine the feasibility of converting the existing rail corridor to a rail trail facility and*
    - *That the existing rail corridor be kept in public ownership for future use as a rail trail facility and thereby preserving the corridor so it would be available at some future date if needed for re-establishment of rail services."*
  - (d) *Supports the recommendations regarding the bus mode for investigating improvements to "Existing services", particularly Route 603 Tweed Heads – Pottsville and Route 605 Tweed Heads – Murwillumbah.*
  - (e) *Notes the recommendations regarding the bus mode for "New or amended services."*
  - (f) *Supports the recommendations regarding the bus mode for "Better integration", particularly Services 603 (Tweed Heads/Pottsville) and 605 (Tweed Heads/Murwillumbah) with Queensland TransLink services 765 (to Varsity Lakes Rail) and 760 (to Broadbeach and interchange with Light Rail)" with the addition of the following additional dot point:*
    - *"The full integration of bus services in Tweed Shire into the Queensland "TransLink" and "GoCard" system will be actively pursued with the Queensland Government."*
2. *To support sustainable tourism, healthy outdoor activities and economic development in Tweed Shire, Council actively support and promote the establishment of a rail trail on the Casino to Murwillumbah rail corridor, particularly the section extending south from Murwillumbah."*

The 2014/15 budget, adopted by Council at its June 2014 meeting, included an allocation of \$275,000 towards the development of stage 1 of the rail trail, a pilot project from Murwillumbah Station to Tweed Regional Gallery.

### Activity to Date

In recognition of the above resolutions, Council officers have been supporting and promoting the rail trail by:

- Actively participating the Northern Rivers Rail Trail Inc. (NRRT) working group to promote and advance the rail trail concept.
- Making submissions to the Casino to Murwillumbah Rail Trail Feasibility Study.
- Releasing media reports of rail trail related events/milestones where appropriate.
- Investigation, planning and design of a 2.5km pilot project from Murwillumbah to Tweed Regional Gallery.
- Community consultation including:
  - Establishing a webpage, on Council's website, providing information on the regional rail trail project.
  - Establishing a webpage, on Council's website, providing information on the proposed stage 1 pilot project.
  - Meeting directly with rural landowners adjacent the stage 1 pilot project to discuss plans and design.
  - Doorknocking and/or letter dropping urban South Murwillumbah residents adjacent the stage 1 pilot project to discuss Council's plans.
  - Meeting with rural landowners who have expressed concerns regarding future stages of the rail trail.

### **Rail Trail Feasibility Study**

In November 2013 the Department of Premier and Cabinet appointed Arup Pty Ltd to undertake a feasibility study to investigate converting the Casino to Murwillumbah rail corridor into a rail trail. The results of the feasibility study were released in June 2014 and found that:

1. The regional rail trail would cost approximately \$75.5 million.
2. At the predicted visitation levels the rail trail would be financially viable.

The full feasibility study documents can be found here: <https://www.nsw.gov.au/news/rail-trail-possibility-north-coast>

Following the release of the feasibility study, the Deputy Premier asked Infrastructure NSW to assess whether this rail trail should be considered for some level of Government funding. At the time of writing, the outcome of this assessment is yet to be announced.

### **Current Status**

While supporting the regional rail trail concept, Council officers have also been progressing planning and design for a pilot project from Murwillumbah Station to the Tweed Regional Gallery. Concept designs have been completed (see Attachment 1) and a planning application is being compiled. Detailed design is now underway. Preliminary cost estimates for the 2.5km section place the cost at approximately \$1 million.

However, construction of the stage 1 pilot project cannot go ahead until the State Government grants approval of the regional rail trail, commits funding and clears legal obstructions. The project is proceeding based on the assumption that this will eventually be forthcoming.

Tweed Shire Council's foresight in advancing the stage 1 pilot project design positions the project to potentially become the first rail trail on public land in all of New South Wales.

### **Proposed Future Work**

With Council's endorsement, Council officers will:

- Continue to participate in the Northern Rivers Rail Trail Inc. (NRRT) working group to promote and advance the rail trail concept.
- Continue planning and design in anticipation of a positive outcome from the State Government assessment of the regional rail trail.
- Further investigate future Tweed Shire stages of the rail trail.
- Expand community consultation related to the rail trail to include:
  - Making contact with rural landowners adjacent to the rail corridor in future stages of the regional rail trail.
  - Exhibition of the stage 1 pilot project design.

Further details of the community consultation activities planned are detailed in Attachments 2 and 3.

### **OPTIONS:**

1. Proceed with exhibition of concept design, community consultation and ongoing support and promotion of the rail trail concept; or
2. Do not proceed with exhibition of concept design, community consultation and ongoing support and promotion of the rail trail concept.

Council officers recommend Option 1.

### **CONCLUSION:**

Council resolved to support the establishment of a rail trail on the Casino to Murwillumbah rail corridor at its May 2013 meeting. Due to this foresight, should the rail trail go ahead, Tweed Shire is well placed to potentially become the first stages of the regional rail trail to be constructed and possibly be the first rail trail on public land in all of NSW.

The Casino to Murwillumbah Rail Trail Feasibility Study, which Council made submissions to, was released in May 2014 and generally supported the rail trail concept. Infrastructure NSW is now assessing the rail trail to determine whether the project should receive State Government funding.

Since the May 2013 resolution, Council officers have been working to support and promote the establishment of a rail trail on the Casino to Murwillumbah rail corridor. Part of this has been the development of designs for a pilot project from Murwillumbah Station to Tweed Regional Gallery. The concept design for this project is completed, a planning application is being compiled and detailed design is underway. Some community consultation has been completed and more is planned in the near future.

With Council's ongoing endorsement, Council officers will place the pilot project concept plans on exhibition, expand community consultation and continue to support and promote the establishment of a rail trail on the Casino to Murwillumbah rail corridor.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Council has resolved to actively support and promote establishment of a rail trail on the Casino to Murwillumbah rail corridor.

**b. Budget/Long Term Financial Plan:**

Council allocated \$275,000 towards the Murwillumbah to Tweed Regional Gallery stage 1 rail trail pilot project in its 2014/15 budget. Preliminary estimates indicate a total cost of \$1,000,000 to complete the project. A further \$725,000 in funding will need be required. However, there may be future opportunities to source the required funding externally.

**c. Legal:**

Transport for New South Wales has ownership of the Casino to Murwillumbah rail corridor.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

- |               |  |
|---------------|--|
| Attachment 1. | Concept Design - Rail Trail Stage 1 Pilot Project: Murwillumbah to Tweed Regional Gallery (ECM 3478183). |
| Attachment 2. | Communication Plan - Murwillumbah to Tweed Regional Gallery Rail Trail Pilot Project (ECM 3478193).      |
| Attachment 3. | Communication Plan - Northern Rivers Rail Trail (ECM 3478205).   |
-

19 [E-CM] Recycled Water, Tweed River Jockey Club

SUBMITTED BY: Water

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.3	Provision of high quality and reliable wastewater services which meets health and environmental requirements and projected demand

---

### SUMMARY OF REPORT:

The Tweed River Jockey Club has requested financial support from Tweed Shire Council to implement a recycled water scheme to irrigate its training track. Council has no formal policy on the provision of assistance to proponents of recycled water schemes.

Council is achieving between 5% and 8.9% reuse of wastewater treatment plant flows as compared to a State median of 9% and the IWCM target of 15%. To achieve the target it is recommend that Council provide financial support to proponents of recycled water schemes.

The recycled water scheme at the Tweed River Jockey Club has the potential to increase use of recycled water by 0.2%. It will also reduce consumption of potable water, by up to 18,000 kilolitres per year (in a dry year) which is the equivalent to the approximate demand of over 250 people.

The costs associated with the scheme have been reviewed and it is recommended that Council fund the planning and approval phase of the scheme as well as any capital works associated with Council infrastructure. The Tweed River Jockey Club would take carriage and responsibility for the project and fund works on its infrastructure. The cost to Council of this proposal is estimated at \$90,000.

It is recommended that a policy on the provision of assistance to proponents of recycled water schemes be developed.

### RECOMMENDATION:

That Council:

1. Supports in principle the provision of a \$35,000 grant to the Tweed River Jockey Club to undertake the planning and approval process for the provision and use of recycled water to irrigate the training track at the Tweed River Jockey Club.



- 2. Supports in principle the undertaking of works to Council infrastructure, at an approximate cost of \$55,000, so that the Tweed River Jockey Club may be provided with recycled water.**
- 3. Prepares a draft agreement or agreements setting out the terms of the proposed grant and support in 1 and 2 above and the provision of recycled water to the Tweed River Jockey Club and reports this to Council for further consideration.**
- 4. Develops a policy for the provision of financial assistance to proponents of recycled water schemes.**

## REPORT

### Background

Over many years the Tweed River Jockey Club (TRJC) and Council have liaised over a proposal to provide recycled water for the watering of the training track. Following recent discussions with Council officers the TRJC has written to Council seeking financial support for the proposal. The reasons put forward by the TRJC for the request are:

- a. The TRJC uses up to and at times in excess of 50kL per day of water to irrigate their training track to make it safe.
- b. At times when the TRJC dam has insufficient water they will spend up to \$735 per week to irrigate the track with potable water supplied by Council. This expenditure is unsustainable.
- c. The TRJC provides employment to hundreds of local people and is strongly involved with community employment agencies such as Tursa providing over 40 work experience placements last year.

A copy of the letter of request from the TRJC is attached.

In February 2006, Tweed Shire Council Recycled Water Opportunities Concept Designs (Report) was completed. The Report identified a range of recycled water projects with most projects subsequently included in the Effluent Reuse Strategy adopted by Council in July 2006. The TRJC was not mentioned in either the Report or the Strategy. However as the recycled water main to the Condong Sugar Mill is in close proximity to the TRJC the project does provide a further opportunity for the use of recycled water.

Although Council has adopted recycled water targets and an adopted Effluent Reuse Strategy, it does not have a policy on the provision of assistance to proponents of recycled water schemes and as such the request by TRJC requires consideration by Council.

### Council Recycled Water Targets

In April 2011 Council considered the Demand Management Strategy and Key Performance indicators. Council resolved to adopt a recycled water Key Performance Indicator of % of treated recycled water used with a target of 15% by 2013.

The Integrated Water Cycle Management Strategy (IWCM) adopted by Council in 2014 refers to "*effluent reuse schemes*" and a recycled water target of 15% as part of Management Option 7a. Management Option 11c of the IWCM also refers to the use of recycled water being to "*Identify opportunities for increased water recycling*".

In November 2012, Council noted the Water Demand Management Key Performance Indicators and Progress report. It showed a level of use of recycled water of 4.5% against a target of 15%. Similarly, in 2013 the levels of use of recycled water were 5.4% against the target of 15%.

The present level of use of recycled water is 8.9% over the previous year as reported in the last quarter against a state wide median of 9% and a national median of 17%.

There are few proponents of recycled water schemes seeking recycled water from Council. Unless more schemes are identified and implemented, Council will continue not to meet its target.

For Council to achieve the target of 15% it will be necessary to support recycled water initiatives so that they are achievable and affordable to proponents and end users.

In respect to the proposal by the TRJC the use of recycled water by the TRJC would increase the use of recycled water by 0.2%.

Additionally the proposal will reduce consumption of potable water, by up to 18,000 kilolitres per year (in a dry year) which is the equivalent to the approximate demand of over 250 people.

### **Options for the Provision of Support to Proponents of Recycled Water Schemes**

Based on Council's previous experience with recycled water schemes there are three areas where support may be provided to proponents:

- a. Support in planning and gaining approvals.
- b. Support in capital works.
- c. Support in providing recycled water at a price less than cost of production.

#### **a. Support in planning approvals phase**

Council could provide support to proponents of recycled water schemes in the planning and approvals phase for the scheme by the:

- a. Provision of advice and assistance from in house resources to the proponent.
- b. Provision of financial assistance directly to the proponent for one or more of the following:
  - Concept design
  - Environmental assessment
  - Detailed design
  - Section 60 approvals including risk assessment

The planning phase including the gaining of approvals, although usually less than 15% of the initial overall cost of the scheme, is where best value is achieved as it is the highest risk component of a project.

#### **b. Support in Capital Works**

The capital works phase is by far the most expensive phase of any recycled water project making up approximately 85% of total initial expenditure.

Support could be provided to the proponent for capital works and consist of Council constructing the work at its or the proponents cost or the provision of funds directly to the proponent.

**c. Support in providing recycled water at a price less than the cost of production**

Council has adopted various models to subsidise the cost of supplying recycled water to the proponents of the existing schemes within the Shire. Each scheme is different and has been assessed on merit with the aim of the making the proposal viable to the proponent.

**Tweed River Jockey Club**

**Costs**

The preliminary estimates of cost associated with the proposal to provide recycled water to the TRJC are summarized as:

Planning and Approvals	\$35,000
Construction	
Council infrastructure	\$55,000
TRJC infrastructure	\$25,000
Total	\$115,000

**Options for the Support of Tweed River Jockey Club**

It is clear that the project will not proceed without financial support from Council. It has been discussed for many years however little progress has been made due to lack of funding. There is an opportunity for Council to provide financial support for the planning component of the project and fund and construct Council assets required to provide the recycled water.

The capital works to be undertaken include both works on Council assets and on TRJC assets. As the works on Council assets may facilitate further use of recycled water, it is suggested work on Council assets be financed by Council. Similarly as the works on TRJC assets will assist the TRJC whether they use recycled water or not, it is suggested the work on Tweed River Jockey Club assets be financed by the Club.

It is recommended that Council fund the planning and approvals component of the project to the amount of \$35,000 via a grant to the TRJC. Additionally, and subject to the completion of the final design, it is recommended that Council fund all work on Council's assets estimated at \$55,000. Council's total contribution would be approximately \$90,000.

Preliminary discussions have proposed a recycled water price of **\$0.012 per kL**. The basis for this price is it is the amount charged to the Chinderah Golf Course for recycled water provided by Tweed Shire Council.

**Policy Position of Council**

At present Council has no policy position for the provision of support to proponents of recycled water schemes. As can be seen from this example recycled water schemes can be complex in respect to cost, benefit to the proponent and benefit to Council in moving towards the target of recycled water used of 15%.

It is considered that it would be difficult to formulate a detailed policy to give a consistent and equitable level of support to proponents of recycled water schemes. Notwithstanding, Council has a recycled water target of 15% and the use of recycled water may reduce the consumption of potable water and as such it is suggested that Council provide a simple

policy framework under which proponents of recycled water schemes are encourage to develop such schemes.

Such a policy would consist of:

- a. A statement of Council's objectives and targets for the use of recycled water,
- b. Encouragement for the identification of opportunities for increased water recycling,
- c. Guidance to proponents on how to seek Council support for the development of a water recycling scheme, and
- d. Guidance on how proposed water recycling schemes will be assessed and details of the potential support.

Under the policy each recycled water scheme proposed, and for which assistance is sought, would be assessed on merit on a case by case basis.

### **OPTIONS:**

That:

1. Council provides support for a recycled water scheme for the TRJC in the form of a \$35,000 grant for the planning and approvals component and \$50,000 for infrastructure on Council assets and that Council develops a policy framework to provide guidance on the provision of assistance by Council for recycled water schemes.
2. Council does not support the provision of a grant to the TRJC or the development of a recycled water policy.

### **CONCLUSION:**

The TRJC has requested financial support from Council to implement a recycled water scheme to irrigate its training track.

Council has no policy on the provision of assistance to proponents of recycled water schemes.

Council is not achieving its target level of water recycling (15%). If Council is to achieve this target it may need to provide financial support to proponents of recycled water schemes.

It is recommended that Council provide financial support to the TRJC and undertake works to Council infrastructure so that the Club can implement a recycled water scheme. If implemented, the scheme will increase use of recycled water by 0.2%.

The costs associated with the scheme have been reviewed and it is recommended that Council fund the planning and approval phase of the scheme as well as any capital works associated with Council infrastructure. The TRJC would take carriage and responsibility of the project and fund works on Club infrastructure. The cost to Council of this proposal is estimated at \$90,000.

In the absence of a policy on the provision of assistance to proponents of recycled water schemes it is recommended that one be developed.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Council has no policy relating to the provision of support to proponents of recycled water schemes. It is proposed to develop a policy.

**b. Budget/Long Term Financial Plan:**

Council's funding of the planning and gaining approvals for the recycled water scheme plus the funding of alterations to Council's infrastructure to support the recycled water scheme is estimated to be approximately \$90,000. This funding will be provided by the Sewer Fund Budget. Supporting future schemes will have both a capital and operation cost to the Sewer Fund Long Term Financial Plan

**c. Legal:**

A legal agreement with the proponent will be required.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Letter from Tweed River Jockey Club dated 4 September 2014 (ECM 3472778).

---

**20 [E-CM] Subdivision for Road Purposes - Murwillumbah**

**SUBMITTED BY: Design**

**FILE REFERENCE: DA13/0175**

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.1	Provide a safe and efficient network of arterial roads connecting neighbourhoods to town centres, employment, shopping, health, commercial and education facilities

---

### SUMMARY OF REPORT:

The formation of Rous River Way, as part of the Riva Vue subdivision in Murwillumbah, encroached into part of a Council owned property, where the Murwillumbah Waste Water Treatment Plant (WWTP) is located. This encroachment was approved as part of DA05/0308, the first stage of the Riva Vue development. The encroachment lies within part of the planned extension of Rous River Way into West End Street providing an alternative to Byangum Road for access to the Murwillumbah CBD. (See Attachment 1).

Whilst the encroachment is relatively minor, its rectification is required. It is considered efficient to create the full extent of road reserve ultimately required through the WWTP connecting to the already acquired road reserve through 'the Brothers Leagues Club' car park.

To formalise the use of Council land for road purposes, it is necessary to prepare a plan of subdivision and to resolve to execute the plan under the Common Seal of Council.

### RECOMMENDATION:

**That Council:**

- 1. Approves the subdivision of Lot 2 DP 534521 at Murwillumbah for road purposes; and**
- 2. Executes all documentation under the Common Seal of Council.**

## REPORT:

### Introduction

The land abutting the south side of the encroaching section of Rous River Road is now being subdivided into residential lots as a later stage of the Riva Vue development. Previously this land was vacant rural-zoned residual land. Now that residential lots are to be created, a dedicated road frontage is essential. To this end Condition 108 has been imposed on DA13/0175, issued on 7 July 2014, requiring road dedication as follows:

- Condition 108: "The north eastern end of Rous River Way, within Lot 2 DP 534521, is to be dedicated as a public road upon registration of the plan of subdivision for Stage 4."

The plan in Attachment 1 shows the areas discussed in this report.

- The red "edged" area is the encroaching road formation of Rous River Way.
- The pink "edged" area is the area previously acquired using the Tweed River Contribution Plan (TRCP).
- The yellow "edged" area is the area proposed to be subdivided from Lot 2 for the extension of Rous River Way to join the extension of West End Street.
- The orange "edged" area is proposed extension of West End Street when the land is developed.

The formation of Rous River Way, a road in the Riva Vue subdivision in Murwillumbah has encroached into part of Council owned property, on Lot 2 in DP 534521, where the Murwillumbah Waste Water Treatment Plant (WWTP) is located. This encroachment was approved as part of DA05/0308, the first stage of the Riva Vue development.

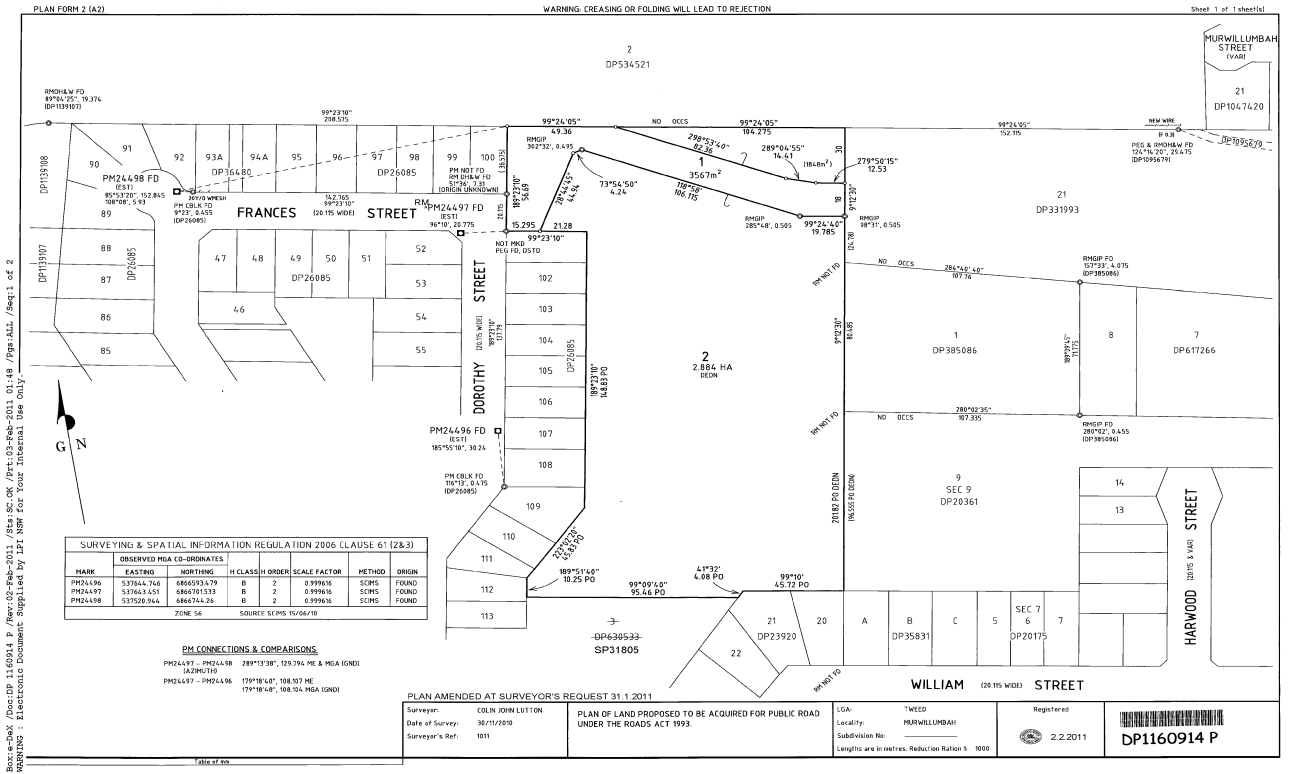
The encroaching Rous River Way formation is currently constructed as a temporary turning bulb termination, but the land was never actually dedicated as public road. Road construction was carried out with Council's consent (in 2009) under DA05/0308.

Rous River Way is planned for connection to West End Street, via Council's WWTP, and the developer paid Council a proportionate share of such road connection costs.

### Extension of Rous River Way

Council had anticipated the formation of this road as part of the West End Street connection in the Tweed Roads Contribution Plan and has previously acquired land for this connection in 2011. Figure 1 below shows the plan of the land acquired (Lot 1):

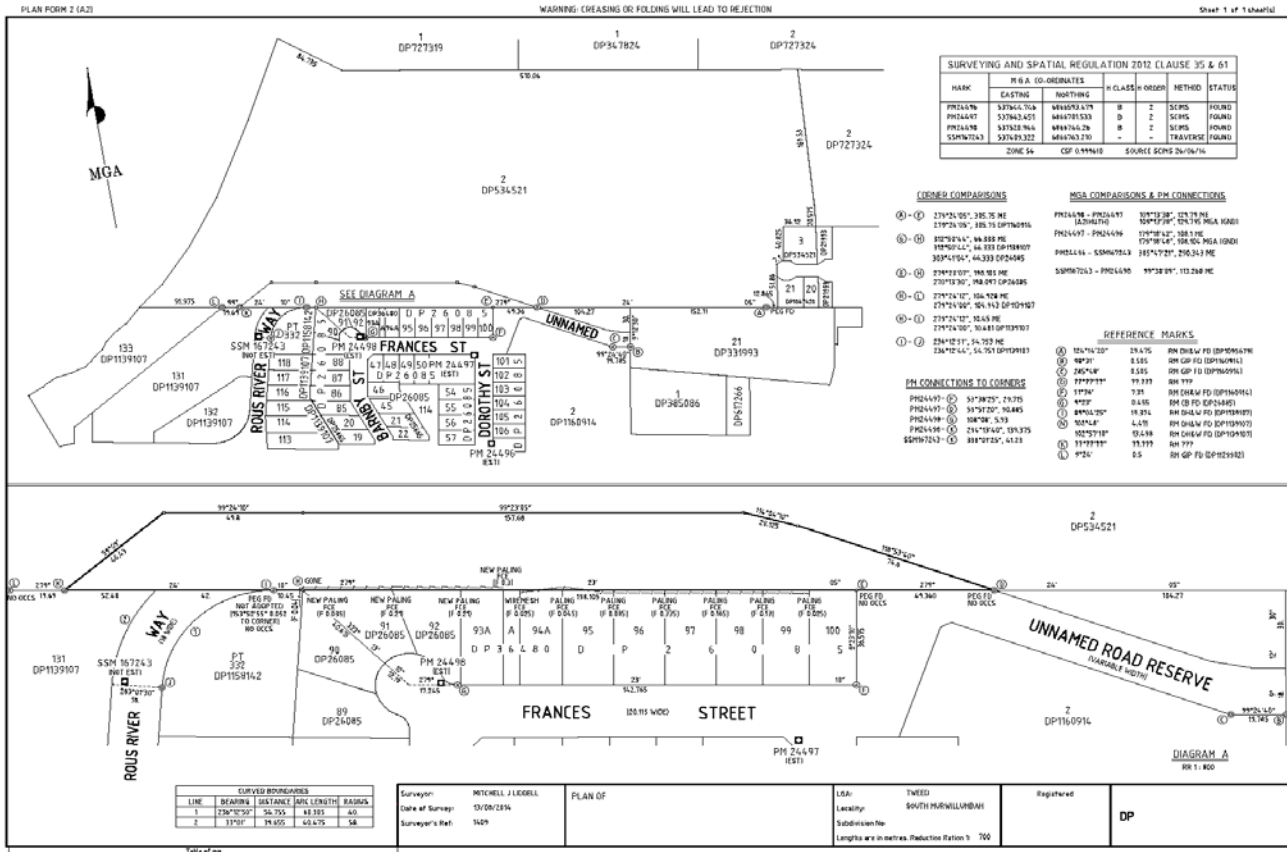




The connection of Rous River Way and West End Street was envisaged in the Murwillumbah Distributor Road Network Traffic Study 2005 to alleviate traffic congestion on Byangum Road. The final connection (shown orange in the attached plan) will be completed when the privately owned land is developed.

The plan to formalise the encroachment and extension will be a plan of subdivision for road purposes and as Council is the landowner, it is necessary for Council to resolve to execute the plan under the Common Seal of Council.

This draft plan of subdivision is shown below as Figure 2:



**OPTIONS:**

1. To approve the subdivision of Council land for road purposes; or
2. To not approve the subdivision of Council land for road purposes.

**CONCLUSION:**

As the encroachment of the formed Rous River Way was approved in 2009, together with the intention to extend the formation to connect to West End Street via a corridor approved in the TRCP, it is recommended that Council approve the subdivision of Lot 2 DP 534521 for road purposes and to resolve to execute the plan under the Common Seal of Council.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

**b. Budget/Long Term Financial Plan:**

Council will bear all costs incurred for the subdivision of Council land for road purposes for the TRCP. Compensation for the land will be made to the Sewer Fund at the time of registration of the plan.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

Rous River Way Plan (ECM3479936).

---

**21 [E-CM] Request for Closure of Public Walkways Monterey Avenue, Honeymyrtle Drive and Golf View Court, Banora Point**

**SUBMITTED BY: Planning and Infrastructure**

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
  - 2.4 An integrated transport system that services local and regional needs
  - 2.4.3 Ensure local streets, footpaths and cycleways are provided, interconnected and maintained
- 

### SUMMARY OF REPORT:

In August 2014 Council considered a report detailing a request from the Banora Point & District Residents Association Inc. to close two public walkways in Banora Point, citing anti-social behaviour in these walkways.

It was resolved to defer the item to allow Council to advertise the possible closure of the walkways, seeking community feedback. This report outlines the community response to the proposal.

Given the degree of community support for retaining these walkways, it is recommended that they remain open and Council seeks assistance from Police to address the anti-social behaviour.

### RECOMMENDATION:

**That Council requests NSW Police increase their surveillance activities in the vicinity of the public walkways between Honeymyrtle Drive, Monterey Avenue and Golf View Court, Banora Point to address reported anti-social and unlawful behaviour.**

## REPORT:

In 2009 Council considered two reports relating to the public walkways between Monterey Avenue, Honey Myrtle Drive and Golf View Court, Banora Point. Submissions from the Banora Point & District Residents Association Inc. (BPDRA) and New South Wales Police identified these walkways as problem areas for various forms of anti-social behaviour, and requested their closure by Council.

In assessing these requests, Council officers did not consider a total closure of the walkways to be appropriate, as they provide connections in the street network for community integration and pedestrian convenience, but acknowledged that sections of the walkways had poor surveillance and lighting. It was resolved to retain the direct links between Honey Myrtle Drive and Monterey Avenue, and Honey Myrtle Drive and Golf View Court, and to close the walkway behind numbers 62-72 Honey Myrtle Drive.

In the five years that followed, no further reports were received by Council relating to anti-social behaviour in or around the walkways, until July 2014, when a letter was received from the BPDRA reporting renewed incidents of vandalism, property damage and general disturbance in the open portions of the walkways. The Association consequently renewed its request for closure of these walkways.

In consideration of this request, Council resolved at the August 2014 meeting:

*"...that the item be deferred to allow Council to:*

- 1. Advertise the possibility of the closure of the public walkway.*
- 2. Seek community feedback from the affected residents.*
- 3. Bring forward a further report outlining the community response to the proposal."*

The possible closure of the walkways was advertised in the Tweed Link and by temporary signage installed at either end of each walkway, from 2 September to 1 October 2014. During this period 19 submissions were received from the community (6 in favour of the proposed closure, 13 against). These submissions are summarised as follows:

Submissions Supporting the Possible Closure:

<b>Address</b>	<b>Reasons for Support</b>	<b>Council Officer Comment</b>
17 Satinash Terrace	Wilful damage and graffiti is only going to continue and be ongoing costs to Council and adjoining properties.	Submitter not in immediate area of subject walkways.
74 Honeymyrtle Drive	Are directly affected by walkway. Many nuisance events over period of years. Last three recent events prompted police reports - damage to car and caravan with paint, and graffiti on fence. All properties bordering the walkway have experience vandalism or harassment e.g. damaged fences, litter, offensive language, theft. Offences occur at night, on weekends and school holidays. Police have been supportive and endeavour to patrol the area as resources permit, but cannot act unless they catch offenders in the act, or are positively identified. Walkway conceals offenders and helps them avoid apprehension. Kids are riding bikes, skateboards and motorbikes in the walkway, shooting straight out into the roadway, this is an accident waiting to happen. Walkway is causing stress. Walkway is primarily a drainage easement and closure would not be an inconvenience to pedestrians who can use Woodlands Drive.	Submitter lives adjacent to Monterey Walkway.  This submission is the basis of the 2014 closure request from the BPDRA.  Walkway is primarily a pedestrian connection, not a stormwater flowpath, although the walkways do contain underground stormwater and sewerage infrastructure.
70 Honeymyrtle Drive	Graffiti, personal threats, bottles thrown on roof, rubbish thrown over fence, urination on fences, motorbikes being ridden in walkway, damage to fences.	
72 Honeymyrtle Drive	Have made many complaints in previous years to Council and Police, without action. Have had to replace a complete side fence at own cost, and deal with graffiti, beer bottles and cans, broken fence palings, urination. Wife was wet by a bucket of water thrown over fence. U-rail design allows children to ride bicycles and motorbikes underneath, which is a safety hazard. Residents feel intimidated by unlicensed motorcycles and high school students swearing loudly on regular afternoons.	No correspondence from submitters concerning the walkway in ECM since November 2009. One CRM lodged in August 2010 regarding vegetation growth in closed section of walkway.

<b>Address</b>	<b>Reasons for Support</b>	<b>Council Officer Comment</b>
23 Monterey Avenue	Damage done to property (fences, vehicles) over last 6 years amounts to thousands of dollars. All damage was reported to police. All properties bordering the walkway have experienced some sort of vandalism or damage - fences damaged and graffitied, littering, shopping trolleys. Objects thrown over fences and onto roofs, offensive language, motorbikes in walkway. Most damage occurs in warmer seasons around school holidays and weekends. Council should contribute to the cost of repairing fences. Walkways are poorly maintained - need mowing and cleaning.	Submitter lives adjacent to Monterey walkway.  Maintenance responsibility for boundary fences is with the landholder, not Council.
35 / 17-21 Monterey Avenue	Walkway has impacted on physical and mental health - frequently awoken at night by loud voices, swearing, bicycles, skateboards, and intoxicated behaviour emanating from walkway and causing dogs to bark. Witnessed people banging on fences, looking over fences, egging windows. Deprived sleep impacts on ability to function at normal capacity, causing migraines and anxiety for which medical and psychological treatment has been required. Walkway is impacting on all who live close by.	Submitter lives adjacent to Monterey walkway.

Submissions Objecting to the Possible Closure:

<b>Address</b>	<b>Reasons for Objection</b>	<b>Council Comment</b>	<b>Officer</b>
68 Honeymyrtle Drive	Walkways used by elderly, mothers with prams, children. It is a public walkway and should not be closed. Area previously closed is poorly maintained.		
8 Golf View Court	Community uses this walkway daily. When children were growing up they used the pathway to access school, the Salvation Army Centre and Community Centre. Now use pathway to walk dog and access open space areas. Closure forces children to use main roads which are too dangerous. Have experienced no problems with vandalism or delinquency since the previous section was closed. Would be disappointed if the actions of the few outweigh the benefits to the many.	Submitter adjacent to Golf View walkway.	lives adjacent to Golf View walkway.

Address	Reasons for Objection	Council Comment	Officer
76 Honeymyrtle Drive	Has never had any trouble with the Monterey walkway. The elderly and parents use the walkway to access preschool and Centaur Primary School.		
64 Honeymyrtle Drive	Elderly resident, uses Monterey walkway nearly every day to catch bus on Darlington Drive. Observes joggers, walkers, elderly and parents using the walkway, including others who catch the bus. Has not observed problems in lane in recent years, walkway is much cleaner and quieter now.		
5 Satinash Terrace	Uses the Monterey walkway daily, as do many others, saving a long walk around. Closure would be a huge inconvenience, especially for the many elderly users. Grateful to have a good network of walkways in the area. Closure of the Golf View walkway in particular would mean a very long walk around for the many elderly residents.	Submitter not in immediate area of subject walkways, but uses them regularly as part of the wider pedestrian network.	
16 Cassia Crescent	Active walkers in Banora Point area. Highly value network of walkways and open space. A great asset to Banora Point.	Submitters not in immediate area of subject walkways.	
60 Honeymyrtle Drive	Have rarely had any issues with people using the walkway. The biggest concern is lack of maintenance by Council - broken glass, damaged bollards, graffiti. Prefer that the walkway remain open and be properly maintained by Council. If closed it will be poorly maintained like the previously closed section.	Submitter lives adjacent to Golf View walkway.	
5 / 9-15 Monterey Avenue	Elderly residents, use the walkway as a short cut to access Community Centre and supermarket. Closure would mean driving rather than walking. Recently moved to the area, but have no concerns regarding maintenance or unruly behaviour. Neighbours have expressed they would be similarly disappointed by walkway closure.		
6 Golf View Court	Golf View walkway is frequently used to access shops and schools. Closure adds considerable distance to walking distance and poses higher safety risks from traffic. No problems experienced since the previous closure.		



Address	Reasons for Objection	Council Comment	Officer
7 Golf View Court (2 submissions received)	Strongly opposes closure of Golf View walkway. Children use walkway daily to access Centaur Primary School and Wallum Preschool. High usage each day, especially in the morning and after school. Submitters and their neighbours have no complaints with the walkway. Have installed sensor lights to deter loitering in walkway. Closure of walkway with unattractive steel fences will impact on value of home. BPDRA should have consulted all residents before requesting closure. Stressed and annoyed by proposed closure.	Submitter adjacent to walkway.	lives adjacent to Golf View
13 / 17-21 Monterey Avenue	Bought unit in Monterey as mother lives in Honey Myrtle Drive. Children use walkway to go to and from school. Works locally and uses walkway as safe, direct route to work.	Submitter adjacent to walkway.	lives adjacent to Monterey
2 Casuarina Drive	Strongly oppose closure of Monterey walkway. Bought property 2 years ago because of access to safe walkways and bikeways in the area. Use Monterey walkway to access Darlington Drive for recreation and to catch school bus to St James Primary School. Walkway avoids road crossings and closure would mean using alternate streets without footpaths, doubling or tripling distance travelled, as well as crossing busier roads such as Covent Gardens Way. Have not seen any incidents or accidents in the walkway - kids are kids and closure based on bad behaviour sets a precedent. Walkway services the entire neighbourhood and shouldn't be closed.		
62 Honey Myrtle Drive	Golf View walkway is used by school students, and have never had any issues. Closure of pathway restricts access to their side property boundary. Closed lane at the rear is already a hassle retrieving balls etc for young children. Concerned about appearance of another gate, which may impact on property value. Don't wish to live next to a void area of land. Closure will not stop anti-social behaviour - they have already experienced people climbing rear fences to access the previously closed section which is still being graffitied, kids trying to light fires etc. Would only consider support for the closure if the land was offered for purchase to adjacent owners.	Submitter adjacent to walkway.	lives adjacent to Golf View

Based on the addresses of those submitters located in the immediate area of the walkways, the strongest support for closure comes from those immediately adjacent to the Monterey walkway (No's 72 and 74 Honey Myrtle Drive and No's 17-21 and 23 Monterey Avenue).

Those adjoining the Golf View walkway are unanimously opposed to the closure, and as such there are few grounds for closure of this access.

Clearly based on submissions there are differing views on the possible closure of the walkways, which leaves Council with a number of options to consider.

**OPTIONS:**

1. Full closure of both walkways.
2. Closure of the Monterey Avenue walkway only.
3. No change to the walkways, with request for increased police presence to discourage anti-social and unlawful behaviour.

The main dilemma to resolve in consideration of these options is that the walkways appear to provide important pedestrian links for the community during the daytime, when few problems are reported. However at night times, particularly on weekends and during school holidays (suggesting that offenders are generally school aged), the Monterey walkway especially appears to attract anti-social behaviour, causing problems for adjacent residents. Council obviously cannot resource closure of the walkway only at night, so a decision is required that will impact negatively upon one group.

Figure 1 below shows the main destinations for pedestrians in the local area, including educational, recreational, community and child care facilities. It also shows the existing footpath and cycleway network along the streets and through open space areas. Figure 2 shows the available bus routes and bus stops.

FIGURE 1 - PEDESTRIAN DESTINATIONS AND ROUTES

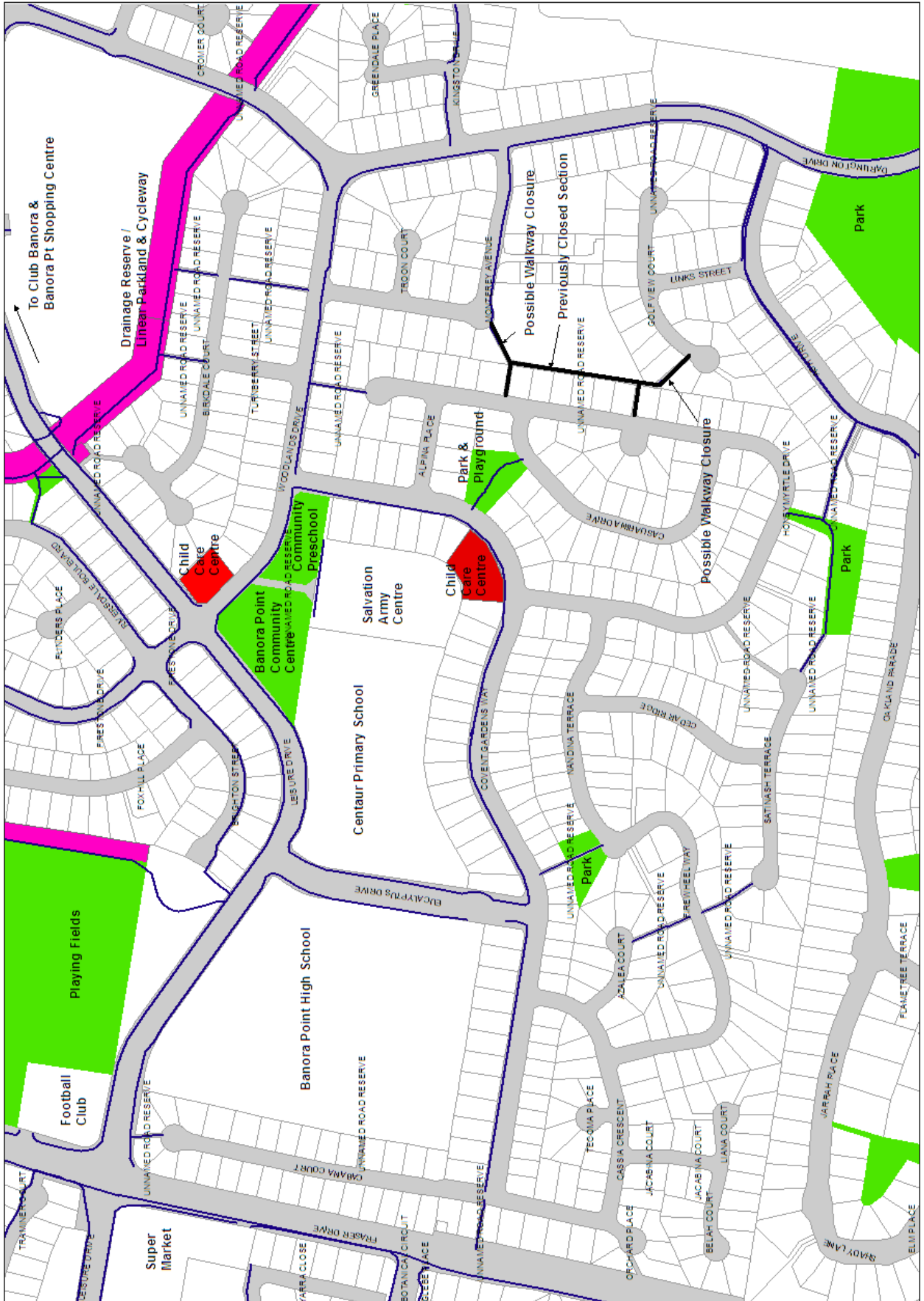
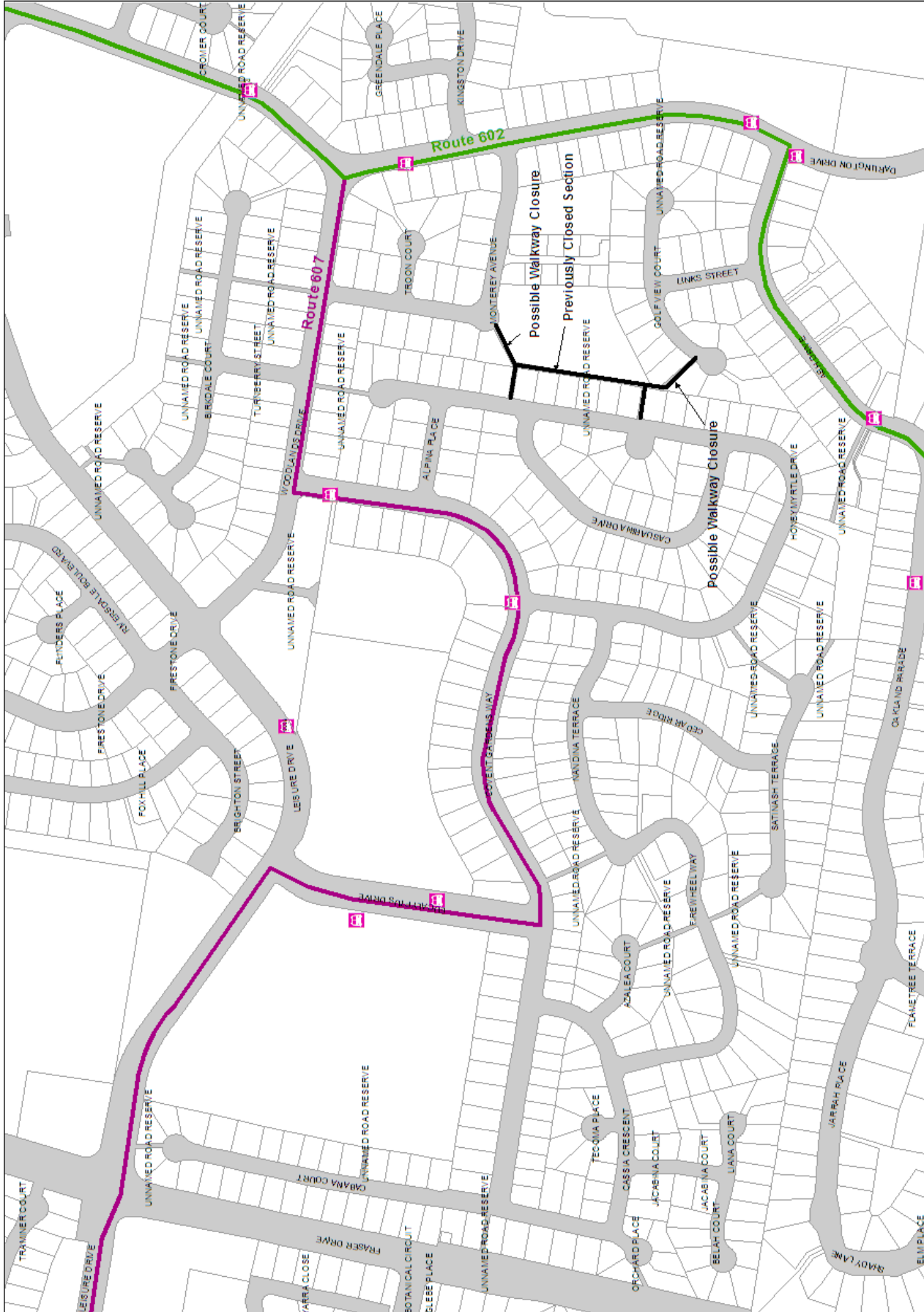


FIGURE 2 - BUS ROUTES AND STOPS



These figures demonstrate that there are a variety of destinations that attract pedestrians, with a concentration of facilities to the north and west of the subject walkways. Two main bus routes are also available to pedestrians to the north and east, with bus stop preference depending on ultimate destination and timing of services. The footpath through the park between Covent Gardens Way and Casuarina Drive provides a convenient pedestrian link for those using the Monterey and Golf View walkways to access schools to the west. The terrain around Golf View Court is also steep, which influences the choice of pedestrian route for those residents. Based on these factors and feedback in several community submissions, closure of the subject walkways would significantly inconvenience several areas, whose residents would have to walk further to reach their desired destinations.

This report recommends adoption of Option 3, which requires no change to the open status of the walkways, but requests additional resources of the NSW Police. To assist in implementing this option, Council officers can undertake improvements to the u-rails at each end of the walkways to prevent the reported motorcycle activities, and reduce risk to other users. Other improvements such as provision of lighting are likely to be expensive to implement, and may attract high maintenance costs through vandalism, so are not recommended.

Should Council prefer walkway closure (Options 1 or 2), there are design, maintenance and cost implications. Suitable steel gates would need to be fabricated and erected, similar to those used in the previous closure. An estimate of cost is \$3,000 to fabricate and install each set of gates - that is \$6,000 to close off both walkways. The walkway areas would then be isolated, restricting access to local residents to maintain their boundary fences, retrieve belongings (e.g. children's toys and balls thrown over the fences) and provide general upkeep of these areas, relying instead on irregular maintenance provided by Council. This may lead to future complaints on amenity issues, as are alluded to in the submissions regarding the previously closed walkway section.

An alternative is to permanently close sections of the public road reserve. If it is Council's intent in doing so that the land would be sold to adjoining landholders, this requires the original application to be made by those adjoining landholders. All costs involved in the closure would be borne by the applicants, and are likely to amount to several thousand dollars (e.g. application fees, advertising, surveying, plan preparation, registration fees, valuation fees) additional to the final purchase price. This process is not a quick one and may take several years through Crown Lands and Land and Property Information.

This approach would only be practical for those sections of road reserve along property side boundaries, as reaching concurrence of multiple landholders would be time consuming and costly and would rely on all landholders participating. Under the Roads Act 1993, any money from the proceeds of sale are not to be used by Council except for acquiring land for, or for carrying out road work on public roads.

If upon closure the land is not sold, it would be retained by Council as Operational Land.

Closure of road reserve areas, whether by restriction of access or permanent closure, requires public notification in accordance with the Roads Act 1993.

**CONCLUSION:**

Public consultation on the possible closure of the public walkways between Honey Myrtle Drive, Monterey Avenue and Golf View Court has taken place in accordance with Council's previous resolution. Based on the submissions there are few grounds to consider closure of the Golf View walkway. However residents adjacent to the Monterey walkway report considerable personal hardship as a result of anti-social and illegal behaviour in the walkway. Counter to that view however, this walkway provides a valuable pedestrian link to a range of users in the neighbourhood, and there is strong opposition to the closure. As such, this report does not recommend closure, but a request for increased police presence to discourage this behaviour and protect affected residents.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Options.

**c. Legal:**

Section 122 of the Roads Act 1993 allows the road authority to regulate traffic on a public road by way of a lockable gate, thereby closing the walkway to pedestrians but maintaining the road's status. This process involves advertising the regulation of traffic for public submissions. This process has been utilised in several other road areas under Council's control. Should Council resolve to close one or both of the walkways, the amendment would need to reference the authority to do so under the Act.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

**22 [E-CM] Disposal of Council Land at Burringbar - Lot 6 DP 868345**

**SUBMITTED BY: Design**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
  - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
- 

### **SUMMARY OF REPORT:**

At its meeting held on 21 August 2014, Council resolved to dispose of the Burringbar Quarry by public tender.

The public tender was advertised in the Sydney Morning Herald, the Gold Coast Bulletin, Northern Star and the Tweed Link, placed by Council in accordance with its obligations under the tender requirements of the Local Government Act and General Regulation.

OneAgency placed advertisements in local real estate inserts into local printed media, as well as on the internet, on [www.realestate.com.au](http://www.realestate.com.au), [www.domain.com.au](http://www.domain.com.au) and its own web site.

Tenders closed on 24 September 2014 and it is recommended that Council approve the recommendations made in the Tender Evaluation Report which is a confidential attachment to this report.

### **RECOMMENDATION:**

**That:**

- 1. Council approves the recommendations as made in the Tender Evaluation; and**
- 2. ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

## **REPORT:**

At its meeting held on 21 August 2014, Council resolved to dispose of the Burringbar Quarry by public tender.

The public tender was advertised in the Sydney Morning Herald, the Gold Coast Bulletin, Northern Star and the Tweed Link, placed by Council in accordance with its obligations under the tender requirements of the Local Government Act and General Regulation.

OneAgency placed advertisements in local real estate inserts into local printed media, as well as on the internet, on [www.realestate.com.au](http://www.realestate.com.au), several other real estate websites and its own web site.

Tenders closed on 24 September 2014 and it is recommended that Council approve the recommendation made in the Tender Evaluation Report which is a confidential attachment to this report.

## **OPTIONS:**

1. Adopt the recommendation made in the Tender Evaluation Report;
2. Do not adopt the recommendation made in the Tender Evaluation Report.

## **CONCLUSION:**

The public tender process has demonstrated that there are interested buyers in the marketplace and the recommendation made in the Tender Evaluation Report reflects the current market.

It is recommended that the Tender Evaluation Report recommendation is approved and adopted by Council.

## **COUNCIL IMPLICATIONS:**

### **a. Policy:**

Disposal of Land v1.1.

### **b. Budget/Long Term Financial Plan:**

Proceeds to be transferred to plant reserve in accordance with a resolution made on 21 March 2013 which states *"Any sales proceeds of quarries (potentially Duroby, Burringbar, Bakers Road and Terragon) net of other quarry expenses (potentially Walls, Kinnears, Burringbar and Singhs) be transferred to the Plan Reserve."*

### **c. Legal:**

Not Applicable.

### **d. Communication/Engagement:**

Not Applicable.



**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Tender Evaluation Report dated 25 September 2014  
(ECM 3480716)

---

**23 [E-CM] Proposed Disposal of Land - Lundberg Drive, South Murwillumbah**

**SUBMITTED BY: Design**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
  - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
- 

### **SUMMARY OF REPORT:**

Council currently leases land to the Murwillumbah Pistol Club Inc on Lundberg Drive, South Murwillumbah. The lease will expire on 30 November 2017 and the Club is seeking security of tenure to allow the Club to continue operations on the site.

The Club has approached Council to purchase the leased land and in accordance with Council's Disposal of Land Policy, it is recommended that Council resolves to advertise its intentions to dispose of the land and seek public submissions in relation to the disposal.

### **RECOMMENDATION:**

**That:**

- 1. Council approves the advertising of Council's intention to dispose of Council land being Lot 1 in DP 1139059 and Lot 1 in DP 1156966 in accordance with Council's Policy for the Disposal of Land.**
- 2. ATTACHMENTS 2 to 4 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**
  - (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.**

**REPORT:**

Council currently leases land to the Murwillumbah Pistol Club Inc on Lundberg Drive, South Murwillumbah. The lease will expire on 30 November 2017 and the Club is seeking security of tenure to allow the Club to continue operations on the site.

The land currently leased to the Club is comprised in Lot 1 in DP 1139059 (being a leasehold parcel) and Lot 1 in DP 1156966 (being a closed road parcel), is shown outlined in red in Figure 1 below:



Figure 1

The Club have expended funds on the development of the Club's infrastructure over a long period and seek an assurance that their assets will remain on site in their ownership, and that the club can continue operating from the site into the future. This has been an ongoing concern for the Club since the new lease commenced in 2006.

The Club has approached Council to purchase the leased land and a valuation was obtained to ascertain its market value taking into account that the improvements are not owned by Council. The Club have accepted the valuation amount and have provided written evidence that they have the funds available to purchase the land.

The community benefit of this land sale is to secure the activities of the Club in the Tweed Shire and provide sale proceeds that can be applied to the purchase of other properties and the Club will then pay rates for the land, which will be higher than the current rental, on an ongoing basis.

It is recommended that Council consider the benefit to Council and the community to sell the land to the Club, and if in the positive, to resolve to advertise its intentions to dispose of the land and seek public submissions in relation to the disposal.

It is also recommended that in light of the Club's long term operations on Council Land, that the disposal be approved as special circumstances in accordance with the Policy and resolve to enter into direct negotiations for a private treaty sale. In this regard, a Probity Plan will be prepared to ensure Council abides by its probity obligations throughout the sale process.

The Policy provides that:

*"Council owned land held in fee simple under the Real Property Act, 1900 shall be disposed of in the following ways:*

- (a) by public auction, or*
- (b) by public tender,*

*except in special circumstances as resolved by Council*

*Where land is to be sold in special circumstances as resolved by Council and before a Contract for the Sale of Land is entered into, the prospective Purchaser may be required to demonstrate to Council that any development proposed for the land is suitable for the site and adheres to the requirements of the current zoning and/or necessary rezoning applications will be pursued by the Purchaser at the Purchaser's expense."*

**OPTIONS:**

1. To approve advertising Council's intention to dispose of Council land in accordance with Council's Policy for the Disposal of Land; or
2. To not approve the sale of land to the Murwillumbah Pistol Club and advise the Club.

**CONCLUSION:**

The Club have been operating from the site for over 30 years and provides a venue for activities that are not available elsewhere in the Shire. The Club is used by both members as well as members of the police force for training purposes.

In light of the ongoing operations of the Club and their confirmation that they have obtained the necessary funds to purchase the land, and the benefit to the community of the sale, it is recommended that Council resolve to advertise the intention to dispose of the land.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Disposal of Land v1.1.

**b. Budget/Long Term Financial Plan:**

The current rental return on the land is minimal (\$521.127 per annum) and the disposal of the land will return rates (of \$3,091.20 per annum) that are higher than the annual rental. The rates will provide income to the general fund which can be used towards council service delivery. Further the sale of the property will return a capital value that can be directed to currently unfunded projects or be applied to the purchase of properties by Council. It is recommended if the disposal is approved that the sale proceeds be directed to the land development reserve.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Disposal of Land Policy V1.1 (ECM 3479201).

*(Confidential)* Attachment 2. Valuation from Valuers Australia dated 18 October 2013 (ECM 3479213).

*(Confidential)* Attachment 3. Letter from Murwillumbah Pistol Club dated 14 July 2013 (ECM 3479214).

*(Confidential)* Attachment 4. Email from Murwillumbah Pistol Club dated 13 July 2014 (ECM 3479217).

---

**24 [E-CM] Unnamed Lane Pottsville between Berkleys Lane and Eastern Sportsfield Car Park**

**SUBMITTED BY: Design**

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.1	Provide a safe and efficient network of arterial roads connecting neighbourhoods to town centres, employment, shopping, health, commercial and education facilities

---

### SUMMARY OF REPORT:

Council at its meeting held 17 July 2014 considered a report titled "Unnamed Lane Pottsville between Berkleys Lane and Eastern Sportsfield Car Park Traffic Flow" and resolved the following:

*"That Council undertakes another community consultation in regards to a two way option prior to proceeding to a development application, with a further report to be submitted to the September 2014 Council meeting."*

Further consultation has been undertaken and the results are presented in the following report.

### RECOMMENDATION:

**That:**

- 1. The Unnamed Lane between Berkleys Lane and the Sportsfields Car Park Access road be constructed as a laneway generally in accordance with the concept plan titled "Pottsville CBD Lane Road Reconstruction INF 11 Diagram 3" providing for two way traffic flow.**
  - 2. The tree and garden bed in Berkleys Lane be retained and a "one lane" slow point installed to control traffic.**
  - 3. One of the three parallel car parks proposed to the western side of Berkleys Lane be removed.**
  - 4. Traffic calming devices be added to the design at suitable spacing to support a 40kph speed limit.**
-

5. The large rubber tree in the unnamed Lane be removed as part of the construction works.
6. ATTACHMENT 2 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-
  - (a) personnel matters concerning particular individuals (other than councillors).



**REPORT:**

Council at its meeting held 17 July 2014 considered a report titled "Unnamed Lane Pottsville between Berkleys Lane and Eastern Sportsfield Car Park Traffic Flow" and resolved the following:

*"That Council undertakes another community consultation in regards to a two way option prior to proceeding to a development application, with a further report to be submitted to the September 2014 Council meeting."*

As per the resolution the proposal was advertised in the Tweed Link including a diagram showing the proposed laneway and two way traffic flow.

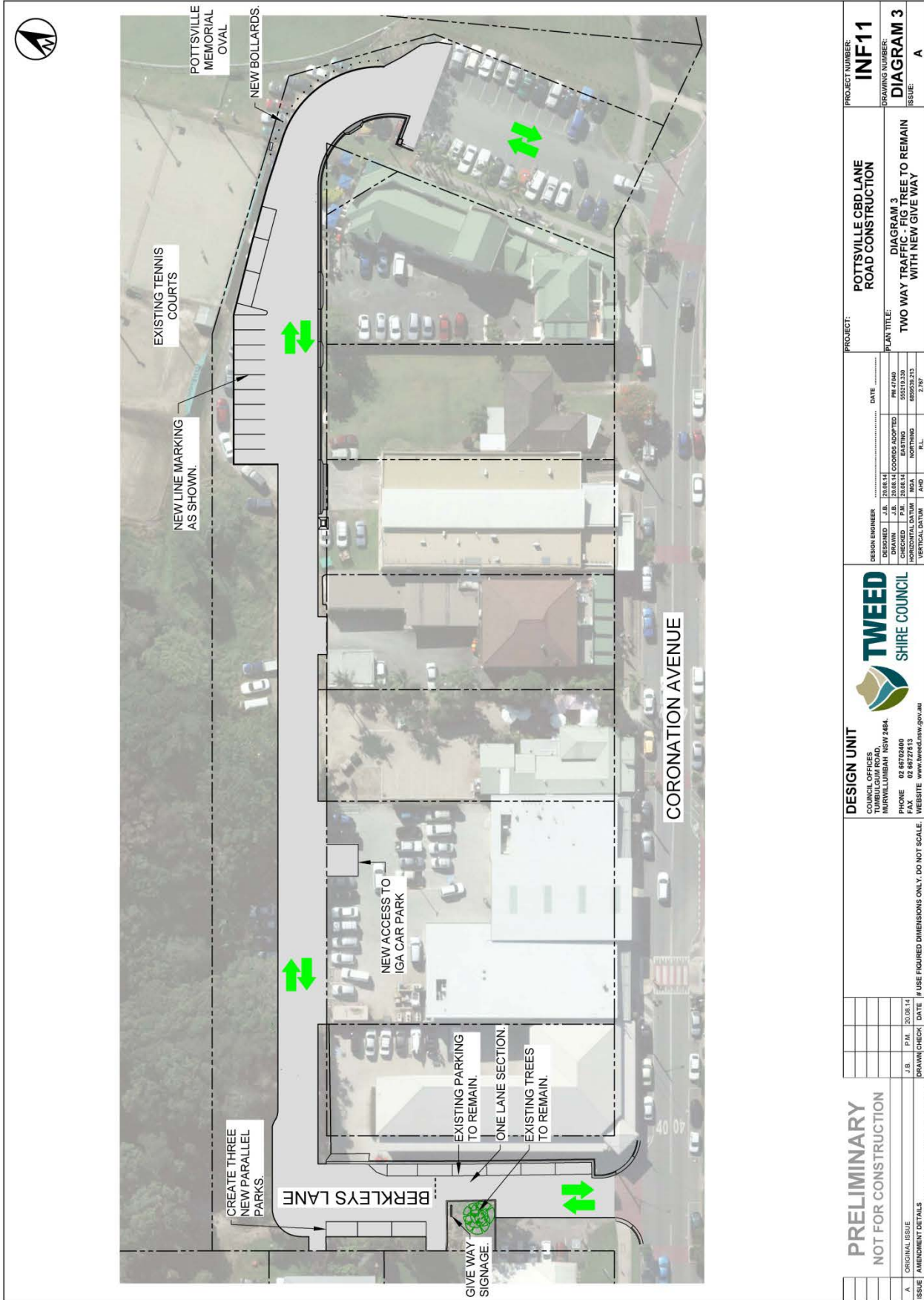
The proposal was also the subject of an onsite information session at the Pottsville Neighbourhood Centre on Wednesday 20 August 2014 from 4:30pm to 6:30pm where staff was available to discuss the proposal with members of the community. This event was also advertised in the Tweed Link. The onsite information session met with approximately 57 visitors and was considered to be a successful opportunity for the community.

As at the closing date 123 submissions were received in addition to the 30 submissions already received from the previous exhibition.

The option advertised was for two way traffic flow with the following benefits and issues:

<b>Option</b>	<b>Benefits</b>	<b>Issues</b>
Two Way Traffic Flow along Berkleys Lane, new lane and Eastern Sportsfield Car park	Provides maximum choice/flexibility for drivers to enter from Berkleys Lane or the eastern car park access Reduces traffic on Coronation Ave between Berkleys Lane and the eastern sportsfields car park access Reduces pedestrian and vehicle conflict as traffic volume on Coronation Ave reduced Delivery and service vehicles to use new lane reducing conflict on Coronation Ave Reduces conflict at the eastern car park access by banning right turns on to Coronation Ave with little impact on traffic as they can use the new lane and Berkleys Lane to travel west. Potential closure of driveways on Coronation Avenue (eastside between Berkleys Lane and the Sports Field).	Narrow road pavement at the Figtree in Berkleys Lane restricts traffic flow to one way to be managed as a "slow point" with Give way control Berkleys Lane and Coronation Ave intersection becomes more congested. Additional traffic on Berkleys Lane

Figure 1 shows the exhibited plan:



<b>PRELIMINARY</b>		<b>DESIGN UNIT</b>		<b>PROJECT:</b>	
<b>NOT FOR CONSTRUCTION</b>		COUNCIL OFFICES TUMBLING ROAD HURVEILLUMBAH NSW 2484. PHONE 02 66724600 FAX 02 66727513 WEBSITE <a href="http://www.tweedshire.nsw.gov.au">www.tweedshire.nsw.gov.au</a>		<b>POTTSVILLE CBD LANE ROAD CONSTRUCTION</b>	
ORIGINAL ISSUE		DESIGNED J.B. 19.08.14 DATE		<b>INF11</b>	
ISSUE AMENDMENT DETAILS		DRAWN J.B. 20.08.14		<b>ROADWAY NUMBER: DIAGRAM 3</b>	
A		CHECKED P.M. 20.08.14		<b>ISSUE: A</b>	
1		HORIZONTAL DATUM MDA		PLAN TITLE: <b>DIAGRAM 3 TWO WAY TRAFFIC - FIG TREE TO REMAIN WITH NEW GIVE WAY</b>	
2		VERTICAL DATUM T.A.D.		ISSUE: A	
3		DATE		DATE	
4		P.M. 20.08.14		P.M. 27.08.14	
5		EASTING		EASTING	
6		NORTHING		NORTHING	
7		Easting		Easting	
8		Northing		Northing	

## Community Information Session

Council staff met and discussed the proposal with approximately 57 members of the community over 2.5 hour period on Wednesday 20 August at the Pottsville Beach Neighbourhood Centre. Copies of the Plan of Works (Figure 1) and Feedback Forms were provided for completion at the session or return at a later date.

The following is a list of the issues that were raised by several attendees during discussions (it is not intended to be a list of all matters raised):

- Nearly all in attendance supported the lane operating with two way traffic
- Potential traffic speed could be an issue
- Majority requested the Berkleys Lane Fig tree be removed to facilitate the project
- Strong support to close the IGA Access on Coronation Ave as part of the project
- Some wanted a separate concrete footpath included
- Street lighting was evenly supported or rejected
- Banning Right Turns onto Coronation Ave from the Sports field Car park
- Additional landscape screening outside 15A Berkleys Lane
- U turns on Coronation Ave using Elizabeth St Intersection need to be stopped
- The pedestrian crossing on Coronation Ave should be relocated
- The three extra car parks in Berkleys Lane considered to hinder access to the adjoining property.

## Submissions

The project was advertised in the Tweed Link seeking community feedback and was extended by a week from the 21 August 2014 to 28 August 2014. The Plan and Feedback form were also available on Council's Internet Web Site.

123 written submissions were received, four of which were anonymous.

Copies of the submissions received are included for information as Confidential Attachment 2.

In general the issues mentioned most frequently in submissions are:

- Supporting the two way proposal (41)
- Removal of the fig tree in Berkleys Lane (13)
- Keep the fig tree in Berkleys Lane (67\*)
- Provide a footpath along the lane (8)
- Provide Koala fencing (4)
- Ban right turns onto Coronation Ave at eastern end (5)
- Don't connect new lane to Berkleys Lane (48\*)
- Construct full bypass of CBD (5)
- Formalise angle car parking on the northern side of lane (5)
- Provide a cycleway (4)
- Close driveway accesses on Coronation Drive (mainly requested IGA) (8)
- Provide traffic calming (3)
- Full support as advertised (3)

- Traffic speed (2)
- Provide full kerb and gutter in laneway (2)
- Make it one way traffic flow (2)
- Include bus stops on new lane (2)
- No right turn out of Berkleys Lane (1)
- Extend lane to Coast Road Roundabout (exit only) (1)
- Signpost other parking areas (eg Community Centre) (1)
- Don't construct any Lanes (26\*)

It should be noted that over half the submissions are very similar, forty six of which were a form letter requesting Berkleys Lane to remain unconnected and the fig tree in Berkleys Lane to be retained have skewed the above figures marked with an asterisk (\*) above. It should also be noted that at least forty nine were not from the Pottsville area.

It would appear from the submissions that a campaign was run in the Murwillumbah area on Thursday 28 August supporting the retention of the fig tree in Berkleys Lane and the non connection with the unnamed Lane.

In addition the Pottsville Community Association and the Pottsville Beach Business Association both support the two way traffic flow option as advertised and the removal of the fig tree in Berkleys Lane to facilitate two way traffic flow.

The Tweed Shire Council Local Traffic Committee (LTC) supports two Way traffic flow (LTC minutes were reported to Council at its meeting on 17 July 2014).

## Discussion

Responses to the above issues are set out in the following table:

**Table 1**

Supporting the two way proposal (41)	Noted
Removal of the fig tree in Berkleys Lane (13)	The fig tree can be removed under the Roads Act even though it meets two preservation criteria in the Tweed DCP – Section A16 – Preservation of Trees or Vegetation. Removal would provide for a more efficient flow of traffic with less delay as the one lane give way control otherwise needed would be removed.
Keep the fig tree in Berkleys Lane (67*)	As above but could be retained and traffic impacts monitored of the one lane give way control to ascertain if removal is required to reduce traffic conflict
Provide a footpath along the lane (8)	Not currently proposed as there are pedestrian attractors along or across the laneway as it simply provides access to private property car parks for customers and service vehicles. If the Pottsville Locality Plan progresses and attractors are developed, footpaths can be added at a later date when funding may be available through developer contribution plans.
Provide Koala fencing (4)	The proposal has been assessed by Councils NRM Section and it is concluded that koala fencing is not required or justifiable

Ban right turns onto Coronation Ave at eastern end (5)	This has been previously proposed and considered but was rejected by the Local Traffic Committee. It is not proposed to revisit this decision at this time, however the intersection performance will be monitored after completion and any remedial action to resolve any problems that develop reported to the Local Traffic Committee.
Don't connect new lane to Berkleys Lane (48*)	This is not supported as it is inconsistent with the Pottsville Locality Based Development Code and doesn't reduce traffic flow on Coronation Ave as much as being connected as all traffic from the west must travel through Coronation Avenue. It may reduce functionality for service vehicles as they will have to turn around to exit. It also creates the potential to increase traffic conflict at the intersection of Coronation Ave/Elizabeth Street and the eastern sports field car park access.
Construct full bypass of CBD (5)	Requests to construct the bypass road shown in the Pottsville Locality Plan. Funding for such is unavailable and there is no demand based on development. The current works proposed will be able to be incorporated in future upgrades.
Formalise angle car parking on the northern side of lane (5)	The purchase agreement for the laneway road reserve purchase does not allow this to happen at this stage and there are environmental issues that may be triggered as clearing would be required.
Provide a cycleway (4)	The laneway is 7 metres wide and has a low speed limit of 40kph so it is considered suitable for cyclists to share the traffic lanes.
Close driveway accesses on Coronation Drive (mainly requested IGA) (8)	This is a planning issue and is subject to development consent conditions being pursued with the property owner and is predicated on negotiations at the time being based on the assumption that the proposed laneway would be connected to Berkleys Lane.
Provide traffic calming (3)	Agreed that traffic calming devices should be added to the project to reinforce the 40 kph speed zone.
Full support as advertised (3)	Noted.
Traffic speed (2)	See Traffic Calming above.
Provide full kerb and gutter in laneway (2)	Not supported as this is unnecessary and would introduce the need for underground drainage, drainage outlets where stormwater would be concentrated with associated issues e.g. scouring. The current design utilises water sensitive stormwater design by utilising one way cross falls, sheet flow and infiltration.
Make it one way traffic flow (2)	Rejected by the majority of the community as previously reported to Council at its meeting on 17 July 2014.
Include bus stops on new lane (2)	Not supported as buses use Coronation Avenue where the pedestrian attractors and pedestrian infrastructure is well provided.

No right turn out of Berkleys Lane	Not supported as it restricts usage of the laneways. The intersection performance will be monitored after completion and any remedial action to resolve any problems that develop reported to the Local Traffic Committee.
Don't construct at all (26)	Not considered viable given Council has purchased the land and the Lane is in the Pottsville Locality Based Development Code.
3 extra car spaces in Berkleys Lane affect property access	Whilst three spaces are possible they could pose difficulties for vehicles entering and leaving the private driveways and require some minor vegetation clearing. It is considered that one of these three spaces should be removed from the project to facilitate property access.

The two main issues raised by the two way proposal submissions are:

1. Increased traffic flow on Berkleys Lane and associated impact on the single adjoining residence.
2. A narrow section midway along Berkleys Lane due to a fig tree which only enables one way traffic flow over a short length.

In regards to Point 1, the increased traffic flow is estimated to be up to 1,000 vehicles a day using the new unnamed lane (20% of the Coronation Avenue traffic) to access car parks and make deliveries.

Assuming the lane traffic flow will be two ways it is expected that traffic using the lane will be split equally between Berkleys Lane and the Eastern Car park access road. This equates to 500 vehicles per day in Berkleys Lane which is a relatively small volume of traffic for a road located in a commercial centre. Under the Tweed Local Environmental Plan (LEP) 2014, Berkleys Lane and the land to the east is zoned B2 Local Centre (previous LEP 2000 zoning was 3b Commercial) and the land to the west of Berkleys Lane is zoned R3 Medium Density (previous LEP 2000 zoning was 2b Medium Density). Potential problems with car headlight glare affecting the residence opposite the new lane are not expected to be significant as most traffic will be using the lane during day time business hours with limited night time usage associated with accessing the tennis courts and sports field and are likely to use the eastern car park access as they currently do.

Point 2 is proposed to be managed using standard traffic management procedure, which will effectively create a mid block slow point under Give Way control. The Give Way control would apply to traffic heading south towards Coronation Avenue, to avoid the unlikely potential for queuing onto Coronation Avenue. It should be noted that the tree can be legally removed noting the following in relation to the Tweed DCP – Section A16 – Preservation of Trees or Vegetation, the subject fig tree meets two of the criteria listed in Section 1.3, namely:

- (a) Locally indigenous vegetation (including palms and tree ferns) equal to or greater than five (5) metres in height; and
- (c) Trees (locally indigenous or otherwise) that have a trunk diameter of greater than or equal to 0.8 metres measured at 1.4 metres above the natural ground;

However, the DCP does not apply as removal of the fig would be authorised under the Roads Act 1993 Part 6, Division 3, Section 88 (Tree felling).

A roads authority may, despite any other Act or law to the contrary, remove or lop any tree or other vegetation that is on or overhanging a public road if, in its opinion, it is necessary to do so for the purpose of carrying out road work or removing a traffic hazard. In this instance, Council would be the road authority.

Given the tree is of reasonable size it is considered appropriate to try to preserve it. The estimated peak hour traffic in Berkleys Lane will be around 50 vehicles per hour, which equates to over one minute per vehicle. This implies that none, or very little queuing and delay are expected at the slow point. Clearly the one lane slow point will need to be monitored and if it is creating a traffic hazard then it can be removed under the Roads Act as described above.

There are greater implications in not connecting the unnamed lane to Berkleys Lane.

These are the:

- Compliance with the Pottsville Locality Based Development Code:

The Pottsville Locality Based Development Code was adopted by Council on 28 April 2010 after extensive detailed community consultation to set the development parameters for Pottsville into the future. A key element of the Code is the construction of the North Loop Road which is shown in the following figure 2 from the Code (figure 4.11 of the Code). It should be noted this clearly shows that the unnamed lane construction is to connect to Berkleys Lane with a second stage extending from Berkleys Lane west to rejoin with Coronation Avenue. The proposed construction has the potential to serve as a catalyst for the redevelopment of the town centre as envisaged by the Pottsville Locality Based Development Code. Council also recently acquired the road reserve from the Crown to enable construction of the laneway.

Figure 2

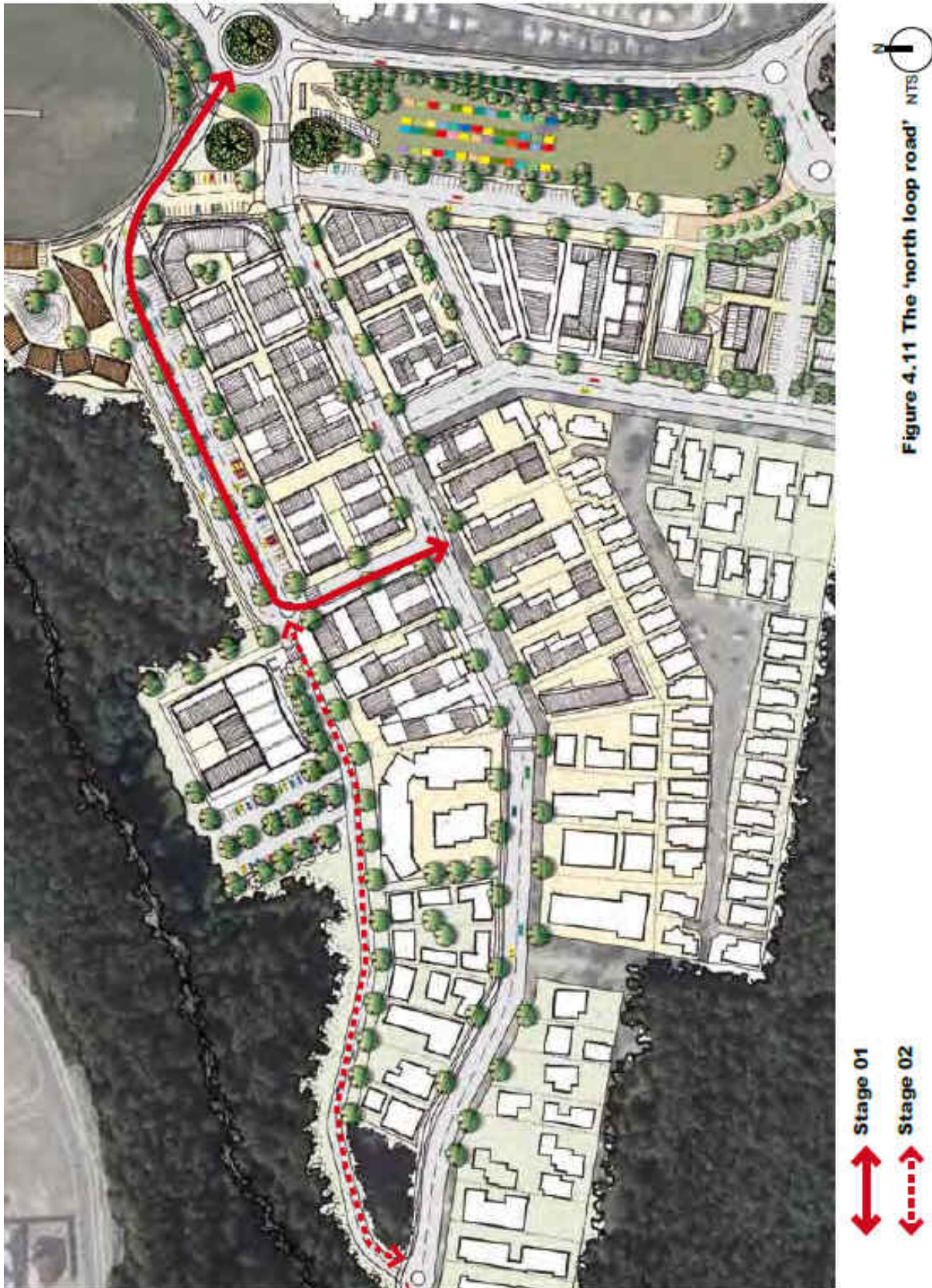


Figure 4.11 The 'north loop road' NTS

Stage 01  
Stage 02



- Ability to Close Driveways onto Coronation Avenue:

The opportunity to close driveways onto Coronation Avenue between the eastern sportsfields access road and Berkleys Lane (east side) is likely to be compromised if the lanes are not connected. This is of particular concern regarding the IGA stores access driveway which has development consent conditions relating to the potential closure of the Coronation Avenue Driveway. These requirements were based on discussions at the time assuming the lanes would be connected and failure to do so may result in difficulties in enforcing the original consent requirements. This would be of concern from a road/pedestrian safety perspective as the current driveway creates extensive conflict points for traffic and pedestrians which would be greatly improved if it were able to be closed. This is also an outcome specified in the Pottsville Locality Based Development Code.

- Removal of Large Rubber Tree:

Council's NRM Unit has requested that as part of the project the large noxious rubber tree about half way along the unnamed lane be removed as part of the works to improve the environmental value of the land to the east of the laneway. Whilst this was not part of the proposed construction its removal will eliminate any future issues with pavement damage from the trees roots and is supported to be added into the projects scope.

- Funding Agreements with Adjoining Owners:

Discussions with the seven adjoining land owners have taken place and funding proposals put to them for consideration. Three of the adjoining land owners have entered into agreements to date and three more have indicated their intention to do so. One of the owners has indicated they will sign up when Council has made its determination on the matter.

It is important from this perspective that a decision be made in regards to the unnamed lane and its connection to Berkleys Lane to enable informed negotiations to recommence with these owners, as this is a critical issue for such discussions.

Once Council's position is resolved, negotiations will recommence as a matter of urgency to finalise funding arrangements.

### **OPTIONS:**

1. Construct the unnamed laneway enabling two way traffic flow along Berkleys Lane (including a one lane slow point at the mid block fig tree), the unnamed lane and Eastern Car park.
2. Construct the unnamed laneway enabling two way traffic flow along Berkleys Lane (including the removal of the midblock fig tree and widening the road pavement for two lanes), the unnamed lane and Eastern Car park. If this option is accepted, offset planting along the riparian zone of Cudgera Creek at the rear of the village should be considered.
3. Other options were discussed in the report on this subject, considered by Council at its meeting on 17 July 2014. A copy of this report is attached as Attachment 1.

## CONCLUSION:

Following consideration of community submissions, it is considered that on balance, the traffic flow in Berkleys Lane, the new unnamed lane and the Eastern sports field car park should operate as two way traffic flow as per Option 1. A slow point in Berkleys Lane at the fig tree should be added to the project to manage the short "squeeze point" and monitored for performance, and, if required further works to provide a two way pavement width at this location be undertaken. This is consistent with the Pottsville Locality Development Code which was adopted by Council in 2010 after extensive detailed community consultation. It also maximises the benefit to the overall community by providing the most choice for business patrons, reduces traffic flow on Coronation Avenue and reduces pedestrian conflict along the Coronation Avenue footpath, and may facilitate the commencement of redevelopment in the CBD area.

## COUNCIL IMPLICATIONS:

### a. Policy:

Tweed Development Control Plan 2008 Section B21 Pottsville Locality Development Code 2010.

### b. Budget/Long Term Financial Plan:

The construction is to be funded by contributions from adjoining property owners and Council Budget.

### c. Legal:

Not Applicable.

### d. Communication/Engagement:

**Consult**-We will listen to you, consider your ideas and concerns and keep you informed.

## UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Council report from meeting held 17 July 2014 (ECM 3476557).

(Confidential) Attachment 2. Submissions - Unnamed Lane Pottsville between Berkleys Land and Eastern Sportsfield Car Park (ECM 3454705).

---

**25 [E-CM] EC2014-129 Supply and Delivery of UV Disinfection Lamps and Accessories**

**SUBMITTED BY: Contracts**

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.3	Provision of high quality and reliable wastewater services which meets health and environmental requirements and projected demand

---

### SUMMARY OF REPORT:

Tender EC2014-129 Supply and Delivery of UV Disinfection Lamps and Accessories and Scheduled Servicing of UV Equipment was called to source the supply of a range of Ultra Violet (UV) Disinfection Lamps to service Council's various Waste Water Treatment Plant facilities and the scheduled servicing of the UV equipment.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 10 September 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### RECOMMENDATION:

**That:-**

- 1. Council awards the contract Tender EC2014 129 Supply and Delivery of UV Disinfection Lamps and Accessories to UVS Ultra Violet Pty Ltd and Scheduled Servicing of UV Equipment to Xylem Water Solutions. The supply and service arrangements will be for a twelve month term with provision for a further two by twelve month extension options.**
- 2. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.**

3. **ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
- (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.**

**REPORT:**

Tender EC2014-129 Supply and Delivery of UV Disinfection Lamps and Accessories and Scheduled Servicing of UV Equipment was called to source a suitable supplier to supply a range of UV lamps and accessories to service Council's various Waste Water Treatment Plant facilities and the scheduled servicing of the UV equipment. The supply and service arrangements will be for a twelve (12) month period from the date of determination by Council with provision for a further two (2) by twelve (12) month extension options.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 10 July 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

**Tender Advertising**

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for Tender EC2014-129 Supply and Delivery of UV Disinfection Lamps and Accessories and Scheduled Servicing of UV Equipment on 19 August 2014 in the Sydney Morning Herald. The tender was also advertised in the Tweed Link and listed on Council's web page Tender section.

**Tender Addendums**

There were no (Notice to Tenderers) issued before close of tender.

**Tender Submissions**

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 10 September 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Following the close of Tenders 4 submissions were recorded at the Tender Box opening and their details are as follows:

<b>Tenderer</b>
UVS Ultra Violet Pty Ltd
Total Waste Water Service NSW
Xylem Water Solutions
Prime Water Australia Pty Ltd
MAK Water - Late Tender not considered in Tender evaluation

Tenders were evaluated based on the criteria noted in the table below which were also listed in the Conditions of Tendering. The details of the price and non price evaluation are shown on the attached Tender Evaluation Spreadsheet.

<b>Criterion</b>	<b>Weighting (%)</b>
Comparison of Tendered Schedule of Rates	50
Suitability of Materials	15
Demonstrated capability to perform the service as specified	15
Relevant experience with contracts of similar nature	10
Local Preference	10
	100

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of Water and Waste Water Operations Engineer, Waste Water Treatment Supervisor and Engineering Admin Supervisor - Contracts.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderer in relation to the tender price and the evaluation of the products offered by the tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.

**OPTIONS:**

1. That Council accepts submissions for the supply of UV Disinfection Lamps and Accessories and the scheduled servicing of UV equipment.
2. That Council takes no action to establish a supply and servicing arrangement for UV Disinfection Lamps and Accessories.

**CONCLUSION:**

That Council accepts the submission from UVS Ultra Violet Pty Ltd for the supply of UV Disinfection Lamps and Accessories and Xylem Water for the scheduled servicing of UV equipment.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.5

**b. Budget/Long Term Financial Plan:**

Provision made in WWTP's annual operating budgets for maintenance and replacement of UV Lamps and Accessories and the scheduled servicing of UV equipment.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Tender Evaluation Report (ECM 3477479).

*(Confidential)* Attachment 2. Tender Evaluation Spreadsheets (ECM 3477726).

---

**26 [E-CM] EC2014-132 Supply, Construction, and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville**

**SUBMITTED BY: Contracts**

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
  - 2.3 Provide well serviced neighbourhoods
  - 2.3.3 Provision of high quality and reliable wastewater services which meets health and environmental requirements and projected demand
- 

### SUMMARY OF REPORT:

Tender EC2014-132 Supply, Construction and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville was called to engage a suitably qualified and experienced Contractor to provide all plant, labour and materials to construct the sewer pipelines and associated works.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 17 September 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### RECOMMENDATION:

That:

1. Council awards the contract EC2014-132 Supply, Construction and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville to Demacs Constructions (Aust) Pty Ltd for the amount of \$675,382.74 (exclusive of GST).
2. The General Manager is given delegated authority to approve variations up to 10% of the initial contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.
3. ATTACHMENTS 1 and 2 are CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because they contain:-
  - (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.



## **REPORT:**

### **Tender Background**

Tender EC2014-132 Supply, Construction and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville was called to engage a suitably qualified and experienced Contractor to provide all plant, labour and materials to construct the sewer pipelines and associated works.

Tenders were officially invited in accordance with the provisions of the Local Government Act 1993 and the NSW Local Government (General) Regulation 2005. Tender submissions closed at 4.00pm (local time) on 17 September 2014 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484.

### **Overall Drive (SEW 18) Works**

The purpose of this project is to increase the capacity of the Pottsville Sewage Conveyancing System to meet the design wet weather flow requirement for full development of the Pottsville Waters and Black Rocks areas by upgrading an existing rising main. The requirement for a further upgrade of capacity was originally identified in the Tweed Coast Sewerage Strategy Study. Together SPS5014 and SPS5010 upgrades will result in the capacity of the sewage pumping system for this area meeting the design criteria and reducing the likelihood of sewer overflows in wet weather.

### **Tweed Coast Road (SEW 32) Works**

The purpose of this project is to increase the capacity of the Pottsville Sewage Conveyancing System to meet the design wet weather flow requirement for full development of the Pottsville Waters and Black Rocks areas by upgrading, extending and bringing back into service a redundant rising main. SEW32 is the first stage of upgrades to SRM5010 and will utilise the old SRM5010, this allows the proposed upgrade of SPS5010 and SPS 5014 to have smaller pumps installed which results in no need for an electrical building and a smaller backup generator. Overall there is operational and maintenance savings as well as a simpler sewerage system allowing more options for redundancy.

### **Tender Advertising**

As per the requirements of the Local Government Regulation 2005, tenders were officially advertised for EC2014-132 Supply, Construction and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville on 26 August 2014 in Sydney Morning Herald. The tender was also advertised in Brisbane Courier Mail, Gold Coast Bulletin and Tweed Link.

### **Tender Addendums**

There were two (2) Tender Addendum (Notice to Tenderers) issued before close of tender.

Addendum No. 1 was issued to advise tenderers of the following Items:

The following drawings have been superseded:

- SEW18-12 Issue 3
- SEW32-11 Issue 1

and replaced with the following drawings (attached):

- SEW18-12 Issue 4
- SEW32-11 Issue 2

The changes to these drawings is to the Typical Road Crossing Trench Detail where the top base layer changes from CBR 60 to CBR 80 and the base layers (CBR 80 and 45) are to have a minimum combined depth of 300mm.

Addendum No. 2 was issued to advise tenderers of the following Items:

1. Effluent from scour pits for Job 2 Tweed Coast Road cut-ins is to be dumped into SPS 5008 at the corner of Tweed Coast Road and Centennial Drive. Contractor is to provide transport for this effluent from scour pit to SPS 5008 and no dump charges apply. Note there is no cut-ins required by the Contractor for Job 2 Overall Drive.
2. The Project Drawings refer to specific pipe material types uPVC and mPVC. Council will accept either oPVC (with a stiffness rating  $\geq$ SN10), uPVC and mPVC Series II pipe material types where drawings refer uPVC or mPVC.

### Tender Submissions

As per the requirements of the Local Government Regulation 2005, tender submissions closed at 4.00pm (local time) on 17 August 2014 in the Tender box located in the foyer of the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. Twelve were recorded at the Tender Box opening and their details are as follows:

Tenderer	ABN
Jag Civil and Drainage (QLD)	53 167 228 122
Advanced Civil Solutions	76 150 029 084
BMD Urban Pty Ltd	65 158 035 539
CC P & C Pty Ltd	27 159 245 093
Demacs Constructions (Aust) Pty Ltd	20 092 182 726
Diona Pty Ltd	48 001 904 258
Eire Constructions Pty Ltd	23 116 308 573
FBD Constructions	19 154 665 317
Ledonne Constructions Pty Ltd	68 003 117 717
Mainland Civil Pty Ltd	29 142 347 297
Morgans	69 003 806 675
National Tapping Service Pty Ltd	37 114 576 046

Tenders were evaluated based on the criteria noted in the table below and in accordance with the approved Tender Evaluation Plan. The details of the price and non-price evaluation are included in Confidential Attachment 1.

Criterion	Document Reference	Weighting (%)
Tender Price (as adjusted)	Schedule 3	65
Relevant Experience and Capability	Schedules 4, 5 & 8	20
Management Systems (WH&S, Quality and Environmental)	Schedule 7	5
Local Content	Schedule 11	10
	Total	100

A Tender Evaluation Plan was developed based on the premise that competitive tenders were to be received and scored against specific selection criteria in order to select the best value tender.

The Tender Evaluation was conducted by Council's Tender Panel, consisting of the Capital Works Coordinator and two (2) Contracts Engineers.

Refer to Confidential ATTACHMENT 1 for the detailed Tender Evaluation Report.

A copy of the Tender Evaluation Report is included in ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A(2)(d) of the Local Government Act, 1993, because it contains commercial information in relation to the tenders, the disclosure of which would be likely to prejudice the commercial position of the tenderers if it was provided. The information identifies the tenderer in relation to the tender price and the evaluation of the products offered by the tenderer. If disclosed, the information would be likely to prejudice the commercial position of the tenderer in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest. Recommendations appear below for the Tender.

**OPTIONS:**

1. The tender from Demacs Constructions (Aust) Pty Ltd be accepted to the value of \$675,382.74 exclusive of GST for tender Supply, Construction and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville; or
2. The tender from Demacs Constructions (Aust) Pty Ltd to the value of \$675,382.74 exclusive of GST for tender Supply, Construction and Testing of Sewer Rising Mains and Associated Works at Overall Drive (SEW 18) and Tweed Coast Road (SEW 32) Pottsville is not accepted.

**CONCLUSION:**

Based on the evaluation scoring process, Demacs Constructions (Aust) Pty Ltd provides the best value option for Contract EC2014-132.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Not Applicable.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

*(Confidential)* Attachment 1. Tender Evaluation Report (ECM 3477071)

*(Confidential)* Attachment 2. Tender Evaluation Score Sheet (ECM 3477089)

---

**27 [E-CM] EC2014-023 - Asphalt Surfacing on Crabbes Creek Road, Wommin Bay Road, Ducat Street and Fraser Drive**

**SUBMITTED BY: Contracts**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
  - 1.3.2 Council will seek the best value in delivering services
- 

### **SUMMARY OF REPORT:**

Contract EC2014-023 was approved at the Council meeting held 20 March 2014. The contract was awarded to Boral Resources for the lump sum amount of \$222,209.85 excluding GST.

This report outlines the variations requested and anticipated by the Superintendent for works under contract EC2014-023. The contract EC2014-023 was approved by Council at the meeting 20 March 2014 (refer Action Item a25 from the meeting)

The variations contained within this report will exceed the General Managers delegated authority. In accordance with recommendation 2 of the Council Action Item for EC2014-023, these variations require Council approval.

### **RECOMMENDATION:**

**That Council approves the variations contained within this report for EC2014-023 Asphalt Surfacing on Crabbes Creek Road, Wommin Bay Road, Ducat Street and Fraser Drive.**

## **REPORT:**

### **Contract Summary**

Tender EC2014-023 was called to obtain a contractor to supply and place asphalt surfaces at Crabbes Creek Road, Wommin Bay Road, Ducat Street and Fraser Drive.

At the time of tender preparation, Council officers estimated that a provisional quantity of 1,056 tonne of asphalt was required to complete the work at all 4 sites. The quantity was considered a genuine estimate for the proposed scope.

Contract EC2014-023 was approved at the Council meeting 20 March 2014. The contract was awarded to Boral Resources for the lump sum amount of \$222,209.85 excluding GST.

As per the Council Resolution, the General Manager is given delegated authority to approve variations up to 10% of the estimated contract sum to a maximum of \$150,000 and those variations be reported to Council following completion of the tendered works/services.

In this case the maximum that could be approved by the General Manager under delegation is \$22,220.98 excluding GST.

### **Additional Works Identification**

At the time of tender preparation, the contract works was to include Segments 10,20 and 30 of Ducat Street totalling approximately 505 tonne.

During the course of the works, Council officers saw an opportunity to continue the overlay into segment 40 of Ducat Street based on poor pavement condition of that segment and that a contractor was already established on site and could complete the work in an efficient manner.

Prior to the additional works commencing, it was estimated that Segment 40 of Ducat Street required 578 tonne to repair pavement wearing surface.

The final quantity of asphalt provided by the Contractor was 1,686.47 tonne for all 4 sites and this is 630.47 tonne more than the quantity in the approved contract. This amount forms the basis of a valid variation under contract (based on a cost adjustment with consistent unit rate but amended quantity). The amount claimed as a variation is \$126,774.66 excluding GST.

## **OPTIONS:**

Approve the Variations as detailed and resolve to approve the recommendation within this report.

## **CONCLUSION:**

It is recommended that the variations to EC2014-023 contained within this report are approved by Council as they exceed the General Manager's delegated authority.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Version 1.5.

**b. Budget/Long Term Financial Plan:**

The works are included in the 2014/2015 Infrastructure Program. Funding is provided within the 2014/2015 Budget rolled over into the current financial year for these works.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

Inform - we will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

## REPORTS FROM THE ACTING DIRECTOR CORPORATE SERVICES

### 28 [CS-CM] Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors - Policy Review

SUBMITTED BY: Corporate Governance

Valid



## Civic Leadership

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Civic Leadership
- 1.2 Improve decision making by engaging stakeholders and taking into account community input
- 1.2.1 Council will be underpinned by good governance and transparency in its decision making process

---

### SUMMARY OF REPORT:

In accordance with Section 252 of the Local Government Act 1993 Council is required each year (by 30 November) to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities for the Mayor and Councillors in relation to discharging the functions of civic office:

*"Council must give public notice of its intention to adopt a policy for the payment of expenses or provision of facilities allowing 28 days for the making of public submissions" (Section 253(1)).*

A review of the Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 1.8 has been undertaken and it is suggested that no amendments be proposed to the Policy.

### RECOMMENDATION:

**That Council, under the provisions of Section 253(1) of the Local Government Act 1993, places on public exhibition for at least 28 days the Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy - Version 1.8.**



**REPORT:**

In accordance with Section 252 of the Local Government Act 1993 Council is required each year (by 30 November) to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities for the Mayor and Councillors in relation to discharging the functions of civic office:

*"Council must give public notice of its intention to adopt a policy for the payment of expenses or provision of facilities allowing 28 days for the making of public submissions" (Section 253(1)).*

A review of the Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy Version 1.8 has been undertaken and it is suggested that no amendments be proposed to the Policy.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

That Council, under the provisions of Section 253(1) of the Local Government Act 1993, places on public exhibition for at least 28 days the Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy - Version 1.8.

A further report will be presented to Council following the public exhibition period.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Councillors - Payment of Expenses and Provision of Facilities for Mayor and Councillors Version 1.8.

**b. Budget/Long Term Financial Plan:**

Expenses are allowed within current Budget.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Consult-**We will listen to you, consider your ideas and concerns and keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Councillor - Payment of Expenses and Provision of Facilities for Mayor and Councillors Policy, Version 1.8 (ECM 3472277).

---

**29 [CS-CM] Pecuniary Interest Returns for the period 1 July 2013 to 30 June 2014**

**SUBMITTED BY: Corporate Governance**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.1 Council will be underpinned by good governance and transparency in its decision making process
- 

### **SUMMARY OF REPORT:**

The Pecuniary Interest Returns for the period 1 July 2013 to 30 June 2014 for Councillors and Designated Persons are tabled in accordance with Sections 449 and 450A of the Local Government Act 1993.

### **RECOMMENDATION:**

**That the Pecuniary Interest Returns for Councillors and Designated Persons for the period 1 July 2013 to 30 June 2014, as tabled, be received and noted.**

**REPORT:**

Section 449 of the Local Government Act 1993 requires the General Manager to obtain returns disclosing interest of Councillors and Designated Persons.

Section 450(a)(2) of the Local Government Act 1993 requires the General Manager to table such returns at the first meeting of Council held after the last day for lodgement of the returns, that date being 30 September 2014.

The returns relate to the period 1 July 2013 to 30 June 2014 and are available for inspection by members of the public.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

That the Pecuniary Interest Returns for Councillors and Designated Persons for the period 1 July 2013 to 30 June 2014, as tabled, be received and noted.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable

As per *Compliance and Reporting requirements of the Office of Local Government*

**b. Budget/Long Term Financial Plan:**

Not Applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform-** we will keep you informed

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

**30 [CS-CM] Budget Review - 2013/14 Carry Over Works**

**SUBMITTED BY: Financial Services**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.2 Improve decision making by engaging stakeholders and taking into account community input
  - 1.2.3 Financial requirements and the community's capacity to pay will be taken into account when meeting the community's desired levels of service
- 

### **SUMMARY OF REPORT:**

This report provides details of the funds to be carried forward from 2013/2014 to the 2014/2015 budget.

The carried forward works represent those projects/services that could not be completed in 2013/2014 for a variety of reasons. The funding of these works fall into the following categories:

- Unexpended Loans
- Reserves Funds
- Grants
- Section 94

### **RECOMMENDATION:**

**That Council adopts the Budget Review 2013/2014 Carry Over Works and the expenditure and income, as detailed within the report.**

**REPORT:**

This report provides details of the funds to be carried forward from 2013/2014 to the 2014/2015 budget.

The carried forward works represent those projects/services that could not be completed in 2013/2014 for a variety of reasons. The funding of these works fall into the following categories:

- Unexpended Loans
- Reserves Funds
- Grants
- Section 94

In/Ex	Description	Carry over amount
<b>Carry Over Expenditure</b>		
Ex	Point Danger VMR Lighthouse	79,275
Ex	SES Operation Centre building additions Banora Point	70,000
Ex	Emergency Management Plan Implementation	44,534
Ex	SES operations costs Banora Point	70,000
Ex	Donation To Rural Fire Service	17,301
Ex	Bush Fire Control Expenses	310,566
Ex	SES / Flood Rescue	190,363
Ex	Building Compliance Officer	5,591
Ex	Health & Building Surveyor	3,185
Ex	Administrative assistant (Building)	13,121
Ex	Pool Upgrade Kingscliff	936
Ex	Environmental Health Compliance - Caravan Parks	24,177
Ex	Footpaths rehabilitation	111,543
Ex	Cycleways Program	100,121
Ex	Cycleways construction s94	190,795
Ex	Asset management Levees & Floodgates	217,585
Ex	South Tweed Flood Levee – Investigation & Design Stage 2	1,244
Ex	Floodplain Management Grants 08-09 TV Floodplain Risk Management	11,875
Ex	Floodplain Management Grants 08-09 Tweed Shire Coastal Creeks	54,641
Ex	Floodplain voluntary purchase scheme	89,462
Ex	Future flood mitigation works	194,128
Ex	Community Engagement - survey	10,000
Ex	Tweed Heads Master Plan	10,000
Ex	Heritage Advisor consultancy	16,000
Ex	Planning Proposals - landowner funded expenditure	59,401
Ex	Scenic Landscape Strategy	60,000
Ex	PP13/0001 Border Park Raceway	11,937
Ex	PP13/0003 Highway Service Centre for Guinane Pty Ltd	12,707
Ex	PP13/0004 Wooyong Properties	5,825
Ex	Acceleration Fund Draft LEP	14,000
Ex	Rural Lands Strategy	58,775
Ex	Local Growth Management Strategy	85,127
Ex	Aboriginal Heritage Study	8,708

In/Ex	Description	Carry over amount
Ex	Stage 1 Shirewide LEP	2,389
Ex	PP10/0002 Marana Street	16,182
Ex	DCP - A17 - Boyds Bay Development Control Plan	14,869
Ex	Heritage DCP Guideline	20,000
Ex	Locality Plans - Kingscliff	25,000
Ex	Urban Design Planner	3,329
Ex	Locality Plans - Rural Villages	28,737
Ex	Extension Officers - Urban Design	12,580
Ex	Locality Plans - Burringbar/Mooball	25,000
Ex	Developer funded studies - expenditure	15,023
Ex	Black Spot Fraser/Leisure Drive intersection	8,200
Ex	Road Safety Officer	20,598
Ex	Road Safety Programs	16,930
Ex	Depot compliance/improvement expenditure	71,372
Ex	Pottsville CBD laneway	59,072
Ex	Land Purchase - Open Space	84,635
Ex	Kingscliff Foreshore Masterplan	11,815
Ex	Design Projects - Engineering Division	23,047
Ex	Kerb & gutter rehabilitation	38,709
Ex	Fraser Drive	82,273
Ex	Kennedy Drive	17,331
Ex	Dry Dock Road	189,955
Ex	Terrace Street	249,322
Ex	Brisbane St	740,000
Ex	Rose Street	164,618
Ex	Fingal Road	312,550
Ex	Terranora Rd	75,340
Ex	Beryl Street, Tweed Heads	50,272
Ex	River Street	158,005
Ex	R2R Kyogle Road - Snake Creek Bridge Approach	71,155
Ex	Tumbulgum Road	304,863
Ex	Black Spot 11/12 Tweed Valley Way centre wire fencing	191,362
Ex	Clothiers Creek Road	39,470
Ex	Recreation Street, Tweed Heads	57,367
Ex	Parry Street	147,000
Ex	Greenway Drive Tweed Heads South	102,077
Ex	Bilambil Road	12,720
Ex	Crescent Street	31,181
Ex	Kennedy Drive Cobaki Bridge to M1	193,230
Ex	Tweed Street Bilambil Heights	78,608
Ex	Crabbes Creek Rd	309,770
Ex	AC Resurfacing	128,682
Ex	Local roads resurfacing	478,936
Ex	Sullivan Street	740,709
Ex	Tweed Terrace	51,733
Ex	Viking Street	238,358

In/Ex	Description	Carry over amount
Ex	Wommin Lake Crescent	172,810
Ex	Banksia Avenue	48,518
Ex	Cunningham Street	268,096
Ex	Collier Street	480,000
Ex	Hill Street	153,877
Ex	Ducat Street	352,312
Ex	Dulguigan Rd Retaining wall	34,108
Ex	Urliup Rd Retaining wall	198,880
Ex	Minnows Rd Retaining wall	72,376
Ex	Numinbah Road Repair Program - Segment 120	113,063
Ex	Country Passenger Transport Interchange	707
Ex	Regional Road Maintenance	97,259
Ex	Emergency response May 2009 local roads	50,283
Ex	Sexton Hill Drive	554,187
Ex	Charltons Bridge	419,309
Ex	Anthony's Bridge	763,163
Ex	Richards bridge	138,710
Ex	Stormwater drainage rehabilitation	340,684
Ex	Stormwater Drainage Rehabilitation	396,864
Ex	Inlet Drive	225,000
Ex	Stafford/River St	42,959
Ex	Wentworth Street	117,958
Ex	Brisbane Street	479,210
Ex	Hartigan Street	225,000
Ex	Banner Lane	59,537
Ex	Tamarind Avenue	452,068
Ex	Drainage construction	62,127
Ex	Cross-tenure Invasive Animal Control to Protect Native Fauna	8,823
Ex	Koala Management Plan	134,518
Ex	Vegetation Management Strategy	266,793
Ex	Fire Mitigation Works Fund 2010/11	1,554
Ex	Fire Mitigation Works Fund 2013/14	2,000
Ex	Casuarina Blossom Bat Rehabilitation	15,959
Ex	Pottsville Environment Park	197,368
Ex	USP - Bray Park Green Banks	3,127
Ex	Noxious Weeds program	17,000
Ex	Salt Dune Rehabilitation	12,460
Ex	NRCMA - Community Support Project - Tweed	7,470
Ex	Protection and Restoration of the Pottsville Wetlands	60,831
Ex	Koala Connections - NSW Environmental Trust	9,410
Ex	Care Group Training and Resources	3,665
Ex	Tweed Byron LALC Land Clean Up Project - Letitia Spit	5,320
Ex	Koala Connections - Biodiversity Fund Project	321,245
Ex	Restoration of Habitat at Pottsville Environmental Park	5,887
Ex	Coordinator Northern Rivers Fire & Biodiversity Consortium	5,627
Ex	Protecting & Linking HCV Habitats	21,162
Ex	Significant Tree Identification	4,480

In/Ex	Description	Carry over amount
Ex	Koala Beach management	48,298
Ex	Koala road crossing DA11/0014 Condition 13	50,000
Ex	Building the Environmental Capacity of Tweed Valley Farmland	1,342
Ex	Climate Change Fund	24,562
Ex	Bilambil Creek Riparian Restoration	17,182
Ex	Cobaki environmental management plans	25,000
Ex	Coastal Creeks – Australian Research Council	67,315
Ex	Biological Farming Plans on the Cudgen Plateau	11,350
Ex	Northern Rivers Carpool	7,468
Ex	Waterways Asset Replacement	3,797
Ex	MIP Boat Ramps	66,792
Ex	Oxley River Bank Stabilisation Project	451,410
Ex	Lower Tweed Management Plan	755,295
Ex	Expansion of Byrrill Ck Restoration Program	1,376
Ex	Coastline Management Plan Implementation	2,240,168
Ex	Tweed Coastal Floodplain - ASS Hotspot Identification & Rem	68,942
Ex	Duranbah Beach Plan of Mgmt	9,387
Ex	Kingscliff Foreshore Revetment Stage D	15,780
Ex	IT Resourcing Strategy/ software implementation	342,000
Ex	Richmond Tweed Council Co-operation	576
Ex	Provision for hardware replacement	200,000
Ex	Asset Systems & Plans	289,413
Ex	Future asset management & maintenance expenses	24,314
Ex	Coastal Landscape Recurring costs	206,000
Ex	Internal Auditor/Corporate Planning	230,965
Ex	SCU Purchase/Maintenance	1,569,444
Ex	Tweed Heads Main Street beautification	1,416,680
Ex	Tweed Heads Main Street – Bay Street Car Parking/Cycleway	15,280
Ex	Western Hangar Development	92,650
Ex	Economic Development Fund	148,680
Ex	Economic Development - Internal	105,820
Ex	Tourism & Promotion - Internal	222,651
Ex	Festivals & Events	42,381
Ex	Murwillumbah Visitor Information Centre	11,441
Ex	Tweed Heads Visitor Information Centre	15,769
Ex	Future Fund	110,443
Ex	Closed Circuit Television	39,917
Ex	Corporate Planning Unit	114,759
Ex	Cultural Arts Seed Funding	121
Ex	Arts Traineeship and Mentorship	2,572
Ex	Acquisitive Prize BAP	5,985
Ex	Art Gallery Prizes	25,157
Ex	Art Gallery Construction - Olley Extension	76,993
Ex	Art Gallery Grant expenditure	9,544
Ex	TRRM Murwillumbah	479,098
Ex	TRRM Murwillumbah Historical Museum - Recurring Costs	18,360



In/Ex	Description	Carry over amount
Ex	Tweed Heads Museum - Old RSL Building	167,212
Ex	Museum Projects	9,737
Ex	Museum Storage Facility	44,998
Ex	TRRM Tweed Heads, Uki & SA and Collection Store	7,089
Ex	Improved Services for Shire Youth	11,137
Ex	Aboriginal Community Development	145,266
Ex	Youth Strategy recurring costs	36,958
Ex	Goorimahbah Public Art	82,816
Ex	Healthy Ageing Strategy	20,373
Ex	Aged & Disability Community Development	2,378
Ex	Access and Inclusion Plan	43,813
Ex	Community Safety	61,828
Ex	Social Development Fund	2,730
Ex	Youth Week Grant Expenditure	2,459
Ex	Communities NSW	185
Ex	International Day of People with Disabilities	1,061
Ex	Community Options Program	240,435
Ex	Housing and Community Care Program	42,041
Ex	Community Options - SAS	9,170
Ex	Older Parent Carers Program	256,488
Ex	Ready Together Growth Funding	1,849
Ex	Podiatry Program	1,501
Ex	T.V. Transport Info Service	1,000
Ex	Administrative assistant (Community)	12,810
Ex	Western Villages Bus Service	1,031
Ex	Community & Cultural Services Management	50,000
Ex	CDSE Doon Doon Community Project	577
Ex	Waste & Sustainability Improvement Expenditure	512,240
Ex	North East Waste Forum Expenses	16,735
Ex	Cabarita Streetscaping Recurring costs	30,000
Ex	Civic Buildings Asset Maintenance	164,559
Ex	Budd Park toilet replacement	99,706
Ex	Murwillumbah Auditorium refurbishment	5,101
Ex	Community Buildings Maintenance	116,133
Ex	Amenities Hall Kingscliff	56,529
Ex	Amenities Hall Kingscliff Recurring costs	68,362
Ex	Civic Centre: Tweed Heads	63,692
Ex	Nullum House	12,058
Ex	Banora Point Community Centre	59,020
Ex	Regional Sport & Recreational Facilities	864,726
Ex	Chillingham Village Common	9,441
Ex	Les Burger Field s94 (CP 5)	247,581
Ex	Terranora Village Open Space Embellishment	145,374
Ex	Arkininstall Pk MP (Stage 1): Overall Implementation	3,041,586
Ex	Merve Edwards Field	11,246
Ex	John Rabjones Clubhouse Capital Works	14,144
Ex	Land purchase - open space	100,000

In/Ex	Description	Carry over amount
Ex	Knox Park Youth Precinct	296,469
Ex	Eviron gardens Visitors Centre	360,000
Ex	Regional All Access Playground	350,000
Ex	Murwillumbah Civic Centre Landscape Upgrade	73,000
Ex	Sec 94 Street Trees	89,852
Ex	Passive recreation s94 projects	262,824
Ex	Budd Park Stage 2	86,002
Ex	Knox Park playground and recreation area	275,000
Ex	Mcllwraith Park upgrade	4,735
Ex	Wilsons park facilities	100,000
Ex	Surf Life Patrols	53,711
Ex	Surf Life Saving Strategy 2020	18,167
Ex	Grants To SLSCs	214,464
Ex	Sports Development Officer	57,805
Ex	Asset maintenance trades plant replacement	5,561
Ex	Work Health & Safety project	1,000
Ex	Health and Safety Initiatives Fund	35,865
Ex	Civic Business	30,000
		34,183,168

**Carry Over funding sources**

In	Grant funds	5,767,524
In	Loan funds	8,851,578
In	Reserve funds	4,224,318
In	Works carried reserve funds	11,477,686
In	s94 funds	3,862,062
In	Other funds	34,183,168

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

Based on current projections, the 2014/2015 Budget is expected to remain balanced for all funds. The rolled over expenditure and funding is required to be voted in the 2014/2015 Budget so as these projects/services can be completed.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Not applicable

**b. Budget/Long Term Financial Plan:**

As detailed within the report

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**  
**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

**31 [CS-CM] Monthly Investment and Section 94 Developer Contribution Report  
for Period Ending 30 September 2014**

**SUBMITTED BY: Financial Services**

Valid



## **Civic Leadership**

### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.3 Delivering the objectives of this plan
  - 1.3.1 Council's organisation will be resourced to provide the essential services and support functions to deliver the objectives of this Plan
- 

### **SUMMARY OF REPORT:**

This report is provided to Council to advise details of monies Council has invested in accordance with Section 625 of the Local Government Act 1993.

There is a requirement by Council's investment consultant to allow at least five (5) working days following the end of the month to provide the statistics for this report. Due to this time constraint and the Council requirement to receive reports ten (10) days prior to the Council meeting, there will be an addendum report provided to Council for consideration at its meeting on 16 October 2014.

### **RECOMMENDATION:**

**Refer to addendum report.**

**REPORT:**

As per summary.

**OPTIONS:**

Not Applicable.

**CONCLUSION:**

Not Applicable.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Corporate Policy Not Applicable.

**b. Budget/Long Term Financial Plan:**

Not Applicable.

**c. Legal:**

Local Government (General) Regulations 2005 - Section 212 - Reports on council investments

*"(1) The responsible accounting officer of a council:*

*(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:*

*(i) if only one ordinary meeting of the council is held in a month, at that meeting, or*

*(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*

*(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*

*(2) The report must be made up to the last day of the month immediately preceding the meeting."*

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

## ORDERS OF THE DAY

---



### Civic Leadership

#### **LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
  - 1.2.1 Council will be underpinned by good governance and transparency in its decision making processes
- 

#### **32 [NOR] Minutes of the Tweed Coast Koala Advisory Committee Meeting held Tuesday 11 February 2014**

#### **NOTICE OF RESCISSION:**

Councillor K Milne, hereby give notice that at the next Ordinary meeting of Council I will move that the resolution from the meeting held on 10 April 2014 at Minute No 246 Item No 46 titled [SUB-TCKAG] Minutes of the Tweed Coast Koala Advisory Committee Meeting held Tuesday 11 February 2014, being:

*"that:*

- .....
- 2. *The Executive Management Team's recommendations be adopted as follows:*

#### **A1. Black Rocks Sports Field**

- 1. *That:*

....

- b) *the lockable gate will be closed at dusk daily.*

.....

**be rescinded.**

---

**33 [NOM] Black Rocks Sports Field**

**NOTICE OF MOTION:**

**Councillor K Milne moves that:**

**The vehicle entry gate at Black Rocks Sports Field be closed and locked at all times except during times of authorised access.**

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

At its meeting on 10 April 2014 Item No 46 titled [SUB-TCKAG] Minutes of the Tweed Coast Koala Advisory Committee Meeting held Tuesday 11 February 2014, Council resolved as follows:

*"that:*

1. *The Minutes of the Tweed Coast Advisory Committee Meeting held Tuesday 11 February 2014 be received and noted; and*
2. *The Executive Management Team's recommendations be adopted as follows:*

**A1. Black Rocks Sports Field**

1. *That:*
  - a) *Council installs a lockable koala and dog-proof gate and additional fencing, in order to form a continuous exclusion zone, at the entrance to the sports field in accord with the Notice of Motion and previously recommended conditions of consent for the Tennis Court Part V Application.*
  - b) *the lockable gate will be closed at dusk daily.*
  - c) *the lockable gate will be funded from the Koala Management Plan budget.*
2. *Sporting organisations that use the sports field are advised of the regulations pertaining to sports field use.*
3. *The Terms of Reference for the Sports Field Strategy include review of the use of the Black Rocks sports field in light of ecological issues.*



Delivery Program:

---



**Caring for the Environment**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

4	Caring for the Environment
4.2	Conserve native flora and fauna and their habitats
4.2.1	Promote the protection of native vegetation and wildlife habitat of high conservation value, social or cultural significance in Tweed Shire

---

Budget/Long Term Financial Plan:

The gate has already been constructed from Koala Plan implementation funds so there is no additional budget implication other than ongoing maintenance and repair as required.

If the gates are to remain locked apart from authorised access there will be a minor reduction in budget required as staff and contractors will no longer be required to open and close gates daily.

Legal Implications:

Not Applicable

Policy Implications:

Draft Tweed Shire Council Sport Fields Strategy

---

**34 [NOM] Black Rocks Mens Shed Development Application**

**NOTICE OF MOTION:**

**Councillor W Polglase moves that Council prepares and lodges the Development Application or Part 5 Application (whichever is applicable) for a Mens Shed at Lot 301 DP 1125090 (Black Rocks Sportsfield), in accordance with their concept design and the Council resolution of 21 August 2014, whereby the construction is to be of the type that it can be fully dismantled and reassembled at an alternative site**

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

Valid



**Supporting Community Life**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

2	Supporting Community Life
2.1	Foster strong, cohesive, cooperative, healthy and safe communities
2.1.1	Work closely with government and community organisations to improve services to children and families, youth, elderly, Indigenous people, disadvantaged and minority groups and to build stronger and more cohesive communities

Budget/Long Term Financial Plan:

Costs will be incurred during the preparation of the Development Application and associated lodgement fees.

Legal Implications:

Nil

Policy Implications:

Nil

---

35 [NOM] Promoting Sustainable Design

**NOTICE OF MOTION:**

Councillor M Armstrong moves that, reflecting on the success of and interest generated by the Tweed Shire Council's Living for the Future Expo, Council officers bring forward a report outlining options for the promotion of sustainable design, above that required by the Building Sustainability Index (BASIX) or other similar legislative require, for new residential buildings with a view to:

- a) Encouraging passive and active solar designs to improve domestic thermal comfort;
- b) Decreasing water consumption through water reclamation, storm water harvesting, water tanks, and low flush toilets;
- c) Encouraging active solar systems such as solar power and hot water systems; and
- d) Encouraging sustainable building construction methods including, but not limited to, straw bale, mud brick, and rammed earth construction methods.

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

This is primarily seeking a report aimed at providing information as to sustainable design which is appropriate to the Tweed Shire. The success of the Living for the Future Home Expo has shown that there is a genuine community interest in sustainable living, however, the information and encouragement provided at the Expo, while important, does not provide an ongoing resource for those who may be interested in new builds which could incorporate sustainable design features or elements. It is also envisaged that such a report would consider how providing this type of encouragement may complement existing and prior projects such as the rebate for dual flush toilets.

**Management Comments:**

The intention of the Notice of Motion is consistent with initiatives commenced within the Planning Reform Unit, but with clarification as discussed below;

**Point b)** There are a diverse range of methods for the reduction of water consumption, suggest the wording identify water tanks and low flush toilets and examples, rather than the very specific items as listed in this point;

**Point d)** This point refers more specifically to 'construction materials' rather than "construction methods", suggest a slight change from 'methods', to "materials".

Due to potential issues relating to the character of a locality, it is suggested that the wording of the point be amended to read 'Encouraging sustainable building construction materials including, but not limited to, straw bale, mud brick, and rammed earth where appropriate'.

The Planning Reforms Unit has prepared a suite of "Building Your Home Factsheets" which were recently presented to the Development Assessment Review Work Group (DAWRG) for their information. The fact sheets intended for new landowners, and designed to inform and encourage the use of the sustainability practices consistent with the intent of this Notice of Motion.

Council officers advise against making any options of promotion for sustainable residential design mandatory for development approvals. This is because the BASIX and Building Code are already in place resulting from significant input from a multitude of organisations. These existing legislative controls are designed for by architects etc. and aid in certainty in applying requirements.

The current provisions are minimum requirements and we do get some homeowners that exceed these requirements by choice.

Council could be another avenue for disseminating sustainable design via our website and the Expo, as it has approved many homes built of mud brick, straw etc in the past.

Delivery Program:

Valid



**Civic Leadership**



**Strengthening the Economy**



**Caring for the Environment**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 1 Civic Leadership
- 1.1 Ensure actions taken and decisions reached are based on the principles of sustainability
- 1.1.2 Create a sustainable, socially and environmentally aware community through education
  
- 3 Strengthening the Economy
- 3.1 Expand employment, tourism and education opportunities.
- 3.1.4 Assist employment generating business to establish or expand in the Tweed
  
- 4 Caring for the Environment
- 4.1 Protect the environment and natural beauty of the Tweed
- 4.1.2 Protect, regulate and maintain natural assets (the coastline, coastal and inland waterways, biodiversity, bushland and scenic landscapes) for current and future generations

---

Budget/Long Term Financial Plan:

Nil.

Legal Implications:

Nil.

Policy Implications:

Nil.

---

36 [NOM] Council Investment

**NOTICE OF MOTION:**

**Councillor K Milne moves that, in response to strong community opposition to coal seam gas development, Council officers prepare a report on the legal and practical consequences of reducing its investments in institutions which financial support fossil fuels, and particularly coal seam gas extraction.**

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

Valid



## Civic Leadership

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- |       |   |
|-------|---|
| 1     | Civic Leadership  |
| 1.2   | Improve decision making by engaging stakeholders and taking into account community input                    |
| 1.2.2 | Decisions made relating to the allocation of priorities will be in the long-term interests of the community |
- 

Budget/Long Term Financial Plan:

To be advised in the future report.

Legal Implications:

To be advised in the future report.

Policy Implications:

To be advised in the future report.

---

**37 [NOM] Seniors Exercise Equipment**

**NOTICE OF MOTION:**

**Councillor K Milne moves that Council:**

- 1. Notes the popularity of the Seniors Exercise Equipment installed in Kingscliff.**
- 2. Provides a report to a future meeting that considers:**
  - a) a review of the Kingscliff Seniors Exercise equipment, and**
  - b) provision of seniors exercise equipment of a similar standard in the other main population centres of the Shire, and simplified levels of seniors exercise equipment in the smaller population centres.**

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

Delivery Program:

Valid



**Supporting Community Life**

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

2	Supporting Community Life
2.3	Provide well serviced neighbourhoods
2.3.6	Provide conveniently placed and well equipped parks, sporting, recreational, cultural and community facilities

Budget/Long Term Financial Plan:

- Exercise equipment is not age specific, designed to cover all age groups
- The equipment is made from heavy duty marine grade materials with minimal moving parts to ensure longevity, estimated whole of life approx 15 years
- Initial capital cost to supply and install approx \$70,000
- Annual inspection costs 1 hr x 52wks x Inspector hourly rate (\$38.28) = \$1,990.56
- Maintenance will grow exponentially as the equipment ages, average cost per year for maintenance would be nominally 10% x \$70,000 / 15yrs = \$467/year

- Planned asset replacement cost = Capital cost \$70,000 / Whole of life (15yrs) = \$4,670.00
- All costs provided are indicative
- The equipment at Kingscliff was a new for old replacement with a recurrent budget in place for ongoing maintenance
- Recreation Services is considering replacing the Exercise Equipment located at John Follent Park Tweed Heads within 3 years

Legal Implications:

Although there is no official legislation or Australian Standards relating to Exercise Equipment, we have adopted the same systematic approach for managing Exercise Equipment as we have for Play Equipment. A regular inspection regime is in place to ensure the equipment is both safe and operational.

Policy Implications:

Nil.

---



## REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

### 38 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 25 September 2014

SUBMITTED BY: Planning and Infrastructure

Valid



## Supporting Community Life

### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

2	Supporting Community Life
2.4	An integrated transport system that services local and regional needs
2.4.1	Provide a safe and efficient network of arterial roads connecting neighbourhoods to town centres, employment, shopping, health, commercial and education facilities

---

### SUMMARY OF REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 25 September 2014 are reproduced in the body of this report for the information of Councillors.

### RECOMMENDATION:

That:

1. The Minutes of the Local Traffic Committee Meeting held Thursday 25 September 2014 be received and noted; and
2. The Executive Management Team's recommendations in relation to Section A - Formal Items Section - Delegations for Regulatory Devices for Endorsement by Council be adopted as follows:

A1 [LTC] Alma Street, Murwillumbah

*That:*

1. *'Zig zag' lines be installed on Alma Street on the approaches to the marked pedestrian crossing.*
2. *'Way Finding' signs be installed on River Street advising pedestrians of the alternate access to the park and CBD.*
3. *This item be brought back to the Committee in 12 months time.*

4. ***A letter be forwarded to St Joseph's School advising of the alternate access to the park and CBD.***

**A2. [LTC] Greenway Drive, Tweed Heads South (**

***That the indented bus lay-by on Greenway Drive (western side) between Doyle Avenue and Enterprise Street be signposted as a 'Bus Zone'.***

**A4. New Year Falls Festival - North Byron Parklands**

***That:***

1. ***Subject to suitable Traffic Management Plans and Traffic Control Plans being provided the proposed re-routing of traffic southbound off the Pacific Motorway at Cudgera Creek Road, Pottsville Road and Tweed Valley Way be supported for the New Year Falls Festival - North Byron Parklands event.***
2. ***Proposed signage and variable message signs for the Pacific Motorway need to be referred to the RMS for approval.***

**A8. Tweed Coast Road, Bogangar**

***That a 40 Km/h High Pedestrian Activity area as depicted in Plans SK01 to SK04 for Tweed Coast Road Bogangar be amended and subject to funding availability be implemented.***

**A12. Council Committees**

***That Council endorse the Traffic Engineer continuing as the Chair of the Local Traffic Committee.***

**REPORT:**

The Minutes of the Local Traffic Committee Meeting held Thursday 25 September 2014 are reproduced as follows for the information of Councillors.

Venue:

Mt Warning Meeting Room

Time:

Commencing at 10.00am

Present:

Committee Members: Cr Barry Longland, Mr Greg Sciffer, Roads and Maritime Services of NSW, Snr Constable Tony Darby, NSW Police, Mr Col Brooks on behalf of Mr Thomas George MP, Member for Lismore, Mr Geoff Provest MP, Member for Tweed.

Informal: Mr Ray Clark (Chairman), Mr Michael Kenny, Ms Judith Finch (Minutes Secretary).

Apologies:

Mr Thomas George MP, Member for Lismore, Mr Nick Tzannes.

MIN1 [LTC] Confirmation of Previous Minutes Meeting held 21 August 2014

ORIGIN:

Planning & Infrastructure

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 21 August 2014 be adopted as a true and accurate record of proceedings of that meeting.

*FOR VOTE - Unanimous*

**SCHEDULE OF OUTSTANDING RESOLUTIONS**

SCH1 [LTC-SOR] Schedule of Outstanding Resolutions - September 2014

From Meeting held 12 June 2014

1. [LTC] Fraser Drive, Banora Point (B1)

Moved to the Late Agenda Item A11.

---

2. [LTC] Tyalgum Road, Murwillumbah (B4)

Moved to the Late Agenda Item A9.

---

3. [LTC] Wooyung Road, Pottsville (A4)

Moved to the Late Agenda Item A10 and renamed Tweed Coast Road - Wooyung Road, Pottsville.

---

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES

A1 [LTC] Alma Street, South Murwillumbah

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3461432; Traffic - Committee; Traffic - Pedestrian Crossings; Traffic - Safety; Alma Street, South Murwillumbah

SUMMARY OF REPORT:

Request received regarding the pedestrian crossing on Alma Street, South Murwillumbah.

Due to a recent pedestrian crash on the pedestrian crossing it has been requested that the Local Traffic Committee review the location of the crossing and any suggested remedial treatments to reduce the likelihood of future incidents.

Council officers will investigate the site and present data to the Committee for its consideration.

To improve the delineation for drivers at the pedestrian crossing it is considered that the installation of 'zig zag' lines should be installed on the approaches. An alternate route for pedestrians wishing to access Murwillumbah underneath the Bridge was discussed. The installation of pedestrian refuges and kerb extensions were considered unsuitable in this location due to turning paths required for heavy vehicles.

COMMITTEE ADVICE:

That the Committee consider the data presented for the Alma Street pedestrian crossing.

RECOMMENDATION TO COUNCIL:

That:

1. 'Zig zag' lines be installed on Alma Street on the approaches to the marked pedestrian crossing.

2. 'Way Finding' signs be installed on River Street advising pedestrians of the alternate access to the park and CBD.
3. This item be brought back to the Committee in 12 months time.
4. A letter be forwarded to St Josephs School advising of the alternate access to the park and CBD.

*FOR VOTE - Greg Sciffer, Mr Col Brooks, Cr B Longland, Snr Const Tony Darby*

*AGAINST VOTE - Nil*

*ABSENT. DID NOT VOTE - Nil*

*PRESENT. DID NOT VOTE - Mr G Provest*

A2 [LTC] Greenway Drive, Tweed Heads South

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3452954; Traffic - Committee; Traffic - Parking Zones; Bus Services - Stop; Signs - Traffic Signs; Greenway Drive

SUMMARY OF REPORT:

At Tweed Heads South, Greenway Drive (western side) between Doyle and Enterprise Streets there is a paved bus lay-by with a bus shelter. The signage in this area was confusing as it was designated as 'No Stopping'. Council's Signage Unit were directed to immediately change the sign to 'Bus Zone' to remove this ambiguity and this report seeks the Committee's ratification of that action.

COMMITTEE ADVICE:

That the indented bus lay-by on Greenway Drive (western side) between Doyle Avenue and Enterprise Street be signposted as a 'Bus Zone'.

RECOMMENDATION TO COUNCIL:

That the indented bus lay-by on Greenway Drive (western side) between Doyle Avenue and Enterprise Street be signposted as a 'Bus Zone'.

*FOR VOTE - Greg Sciffer, Mr G Provest, Cr B Longland, Snr Const Tony Darby*

*AGAINST VOTE - Nil*

*ABSENT. DID NOT VOTE - Nil*

*PRESENT. DID NOT VOTE - Mr Col Brooks*

A3 Hillcrest Avenue was moved to Section B - Item B9

A4 [LTC] New Year Falls Festival - North Byron Parklands

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3464515; 3467853; Traffic - Committee; Traffic - Control; Festivals/Events - Other; Pottsville Road, Mooball; Tweed Valley Way, Mooball; Pacific Motorway - Sleepy Hollow

SUMMARY OF REPORT:

Request received for Local Traffic Committee advice in relation to the New Year's Falls Festival at North Byron Parklands where some of the traffic management measures will flow into Tweed Shire.

Traffic management plans will be tabled at the meeting.

*"North Byron Parklands (Parklands), located on the border of Byron and Tweed shires is a cultural event site with a trial approval (Project Approval MP 090028 dated 24<sup>th</sup> April 2012) for three events per year for five years.*

.....

*All three events held at Parklands to date have exclusively used the Yelgun interchange for highway traffic coming to and from the site. Traffic management at the previous two events (Falls 13-14 and Splendour in the Grass 2014) successfully managed traffic.*

*The most recent traffic debrief, with officers from RMS and BSC discussed trialling other traffic options such as use of the highway interchange to the north of the site for southbound traffic to access the site. This option had been raised by Tweed Council representatives at a previous meeting with senior management and Councillors.*

*The Traffic Management Plan for the 2014-15 Falls Festival at NBP is seeking to divert southbound Pacific Motorway festival traffic off the motorway at the Cudgera Creek Interchange and to the site along Pottsville Road to Mooball and south along the underused old highway route along Tweed Valley Way to the existing festival site entrance. No use of Wooyung Road or traffic through Pottsville CBD is proposed. The time of year of the Falls Festival is considered a good time to trial this route as no school traffic would be occurring and less work related traffic would be using the road system.*

*Use of this option will allow the gathering of more data on preferred ways to use the local road network for event traffic.*

*Falls Festival Key Dates*

*Patron Camping Commences: Monday 29 December 2014*

*Event Days; Tuesday 30 December 2014 (soft opening)*

*Wednesday 31 December 2014*

*Thursday 1 January 2015*

*Friday 2 January 2015*

*Patron Camping Finishes: Saturday 3 January 2015*

*Key numbers and data*

*This year's approval for Falls is for 17,500 patrons per day. Based on experience with previous events, we anticipate that this will result in some 5,800 cars being parked on the site by patrons. Based on last year's origin distribution study, we expect that some 20 to 25% of patrons arrive from the North along the Pacific Highway - our preliminary calculations show that during the peak arrival period, this will probably result in an additional 100 - 120 vehicles per hour inbound along the new proposed route through the Tweed.*

*We are currently working on a SIDRA Intersection analysis study for the various intersections involved with this new proposed route to ensure that this additional traffic will have an acceptable impact on the road network. The results of this study are proposed to be included in the Traffic Management Plan that would be provided to Council."*

COMMITTEE ADVICE:

That subject to suitable Traffic Management Plans and Traffic Control Plans being provided the proposed re-routing of traffic for the New Year Falls Festival - North Byron Parklands event be supported.

RECOMMENDATION TO COUNCIL:

That:

1. Subject to suitable Traffic Management Plans and Traffic Control Plans being provided the proposed re-routing of traffic southbound off the Pacific Motorway at Cudgera Creek Road, Pottsville Road and Tweed Valley Way be supported for the New Year Falls Festival - North Byron Parklands event.
2. Proposed signage and variable message signs for the Pacific Motorway need to be referred to the RMS for approval.

*FOR VOTE - Greg Sciffer, Mr G Provest, Cr B Longland, Snr Const Tony Darby*

*AGAINST VOTE - Nil*

*ABSENT. DID NOT VOTE - Nil*

*PRESENT. DID NOT VOTE - Mr Col Brooks*

A5 Seaview Street was moved to Section B - Item B10

A6 Cane Road and Tumbulgum Road was moved to Section B - Item B11

A7 Pearl Street was moved to Section B - item B12

A8 [LTC-LATE] Tweed Coast Road, Bogangar

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3173589; Traffic - Committee; Traffic - Safety; Traffic - Parking Zones; Traffic - Speed Zones; Tweed Coast Road, Bogangar

SUMMARY OF REPORT:

This item was discussed at the meeting held 3 October 2013 and is reproduced below:

*"Request received for a refuge island, slightly raised crossing, traffic and speed count and signage along Tweed Coast Road, Bogangar:*

*"I was invited to meet the members of the Cabarita Beach/Bogangar Residents' Association last Tuesday 10 September to discuss a number of traffic issues in Tweed Coast Road, Cabarita. I am suggesting that these could be the basis for an agenda item at the next Traffic Committee Meeting and they are as follows:*

*They are seeking a refuge island on Tweed Coast Road to the north of the Rosewood Avenue roundabout on the road in front of the shops (Kartel Cafe etc). There is already a refuge island to the south and the residents claim that the need for both refuge islands was identified in the Cabarita DCP.*

*The carparks on Tweed Coast Road that are nearest to the pedestrian crossing outside Woolworths are claimed to affect sight lines for motorists approaching the crossing. As well, they are asking for a slightly raised crossing at this point as a traffic calming measure.*

*Residents believe that a traffic and speed count on Tweed Coast Road through the CBD would assist in determining the need for additional safety measures, as above.*

*With the change to half hour parking on Tweed Coast Road, residents are seeking some signage (preferably at Rosewood Avenue and Banksia Avenue intersections) that indicates parking is available in the Woolworths carpark off Hastings Road.*

*Any advice you could give me would be appreciated."*

*"Item 1: A wide concrete median is in place north of Rosewood Avenue then a wide painted median extends to the north for an additional 70m. Adequate crossing opportunities are in place and an additional pedestrian refuge was not warranted.*

*Item 2: Sight lines of pedestrians on the crossing are appropriate. Vehicles exiting parking spaces may temporarily limit the sight distance however removing parking spaces was not necessary.*

*Item 3: The RMS advised that the area should be considered for a 40km/h High Pedestrian Activity Area.*

*Item 4: The Committee considered that Woolworths could install additional signage in their premises to direct customers to their off road parking area. It was noted that a sign is currently on the front of the building advising parking at rear.*

*Additional correspondence relating to vehicle speeds was discussed.*



COMMITTEE ADVICE:

*That Council applies to the RMS for the implementation of the 40km/h High Pedestrian Activity Area for Tweed Coast Road in the vicinity of the Woolworths complex at Bogangar."*

From Meeting held 25 September 2014:

Plans for a high pedestrian activity and speed zone of 40km/h will be available at the meeting.

Plans of the proposed 40Km/h High Pedestrian Activity were tabled and minor changes were recommend in relation to speed zoning signage and reduction in median length.

COMMITTEE ADVICE:

That a 40 Km/h High Pedestrian Activity area as depicted in Plans SK01 to SK04 for Tweed Coast Road Bogangar be amended and subject to funding availability be implemented.

RECOMMENDATION TO COUNCIL:

That a 40 Km/h High Pedestrian Activity area as depicted in Plans SK01 to SK04 for Tweed Coast Road Bogangar be amended and subject to funding availability be implemented.

*FOR VOTE - Greg Sciffer, Cr B Longland, Snr Const Tony Darby, Mr G Provest*

*ABSENT DID NOT VOTE - Nil*

*PRESENT. DID NOT VOTE - Mr Col Brooks*

A9 Tyalgum Road was moved to Section B - Item B13

A10 Tweed Coast Road - Wooyung Road was moved to Section B - Item B14

A11 Fraser Drive was moved to Section B - Item B15

A12 [LTC] Council Committees

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3296862; Traffic - Committee

SUMMARY OF REPORT:

At its meeting held 20 February 2014 Council resolved that:

*"the Council Committees, which have not stipulated the length of appointment of the Chairperson, to annually elect a Chairperson, beginning at the end of the current twelve month period (September, 2014)."*

The Committee noted that the Chairperson of Local Traffic Committee is appointed by Council.

RECOMMENDATION TO COUNCIL:

That Council endorse the Traffic Engineer continuing as the Chair of the Local Traffic Committee.

*FOR VOTE - Greg Sciffer, Mr G Provest, Mr Col Brooks, Cr B Longland, Snr Const Tony Darby*

*AGAINST VOTE - Nil*

*ABSENT. DID NOT VOTE - Nil*

*PRESENT. DID NOT VOTE - Nil*

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE

B1 Council Committees was moved to Section A - Item A12

B2 [LTC] Boyd Street, Tweed Heads

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3442743; 3463671; Traffic - Committee; Traffic - Parking Zones; Boyd Street, Tweed Heads

SUMMARY OF REPORT:

This item was discussed at the Local Traffic Committee Meeting held 21 August 2014 and is reproduced as follows:

*"Request received regarding parking for staff at the Tweed Day Surgery on Boyd Street, Tweed Heads.*

*"I am quite concerned re my staff safety on arriving in the dark and leaving the facility in the dark, and that they potentially have to park in the back streets surrounding Boyd Street due to the restriction in place for 2 hour parking.*

*We realistically would be happy with at least 6 or 7 exemptions to the 2 hour parking to secure safe passage for our staff."*

*Inspection shows that out of 56 on-site parking spaces there are:*

- 26 'doctor only' parking spaces
- 27 'open' parking spaces
- 2 'disabled' parking spaces
- 1 'cafe operator' parking space

*On Boyd Street there is 2 hour parking from 9.00am to 5.00pm Monday to Friday and 9.00am to 12.00 Saturday."*

COMMITTEE ADVICE:

*That the request for exemptions to 2 hour parking limits not be supported and further history on the development approval for the Tweed Day Surgery and parking restrictions in Boyd Street Tweed Heads be reported to the next Local Traffic Committee meeting."*

From Meeting held 25 September 2014:

COMMITTEE ADVICE:

That the existing 2 hour parking on Boyd Street remain and the Tweed Day Surgery be advised that the designation of parking areas in the complex be reviewed to maximise use for all staff and customers.

B3 [LTC] Kingscliff Street, Kingscliff

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3464263; 3464268; Traffic - Committee; Traffic - Safety; Traffic - Speed Zones; Kingscliff Street, Kingscliff

SUMMARY OF REPORT:

Request received in relation to speeding and pedestrian safety on Kingscliff Street, Kingscliff.

*"I am writing to seek your assistance to help improve the safety for pedestrians along Kingscliff Street, Kingscliff NSW 2487 by improving the enforcement of vehicle speed along this street.*

*Kingscliff St is a densely residential street and has been appropriately designated as a 50km zone. There are children and the elderly needing to regularly cross this street to either catch the bus or walk to the beach. The street does have two traffic calming roundabouts but there is a 0.5km section of the street (between those two roundabouts at Beach and Ozone cross streets respectively) where drivers have a clear line of sight and generally see this an opportunity to increase their speed.*

*I have been discussing this road safety issue with the Road Safety at the Tweed Shire Council who recently arranged for some hard data to be collected on this 0.5km section of the street in August 2014. The results are as follows:*

*"Data for Kingscliff Street south of Pacific Street (50km/h speed zone).*

*Average daily traffic count was 6,500 vehicles per day.  
The 85<sup>th</sup> % speed of vehicles was 59km/h.*

*The Council deploys, on a rotating basis, a variable message sign radar on this section of Kingscliff St, which appears to reduce the speed of the traffic when it is deployed.*

*I have also been in contact with NSW Roads and Maritime Services and today I submitted a request for a Speed Camera Car to be deployed along this street. A speed camera, which is deployed on an ongoing and random basis, would, in my view, have a sustained positive halo effect to ensure vehicle speed is maintained at 50km/h."*

*Council's advisory radar is regularly placed on Kingscliff Street. Council's Road Safety Officer could work with Police to reinforce the posted speed limit."*

From Meeting held 25 September 2014:

The Police Representative advised that Kingscliff Street has been added to their tasking list for enforcement of the posted speed limit.

#### COMMITTEE ADVICE:

That Council's Road Safety Officer coordinate a speed related education project for Kingscliff Street, Kingscliff, in conjunction with Police.

B4 [LTC] Murwillumbah Motorfest and Swap

#### ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3442109; Traffic - Committee; Traffic - Control; Road Closures - Temporary; Festivals/Events - Other; Showground; Community Events on Council Administered Land; Queensland Road; Murwillumbah Street; Mooball Street

#### SUMMARY OF REPORT:

Request received to hold the inaugural Murwillumbah Motorfest and Swap event at the Murwillumbah Showground from Friday 5 December to Sunday 7 December 2014 with temporary road closures for Queensland Road, Murwillumbah Street and Mooball Street in place on Friday 5 December from 6.00 to 7.00pm and Saturday 6 December from 6.00 to 7.30pm.

*"Friday 5 December - a car/bike cruise around the streets of Murwillumbah. Followed by a '70's or '80's cover bands to play in the main pavilion or on an outdoor stage (weather permitting) in the showground.*

*Saturday 6 December - show 'n' shine and swap meet including various exhibitors with '70s and '80s related products. In addition to this there will be a carnival precinct for all of the family and music from the era throughout the day. The day's activities will conclude with a car/bike cruise around the streets of Murwillumbah culminating in a '70s or '80s cover band to play in the main pavilion.*

*Sunday 7 December - car/bike runs throughout the day as well as a continuation of the swap meet, and the show 'n' shine presentation and music on the various stages around the venue."*

COMMITTEE ADVICE:

That the proposed Murwillumbah Motor Fest and Swap Car/bike Cruise on Friday 5 and Saturday 6 December be supported, for one 'cruise' lap only of the proposed route subject to:

1. Endorsement of the event by Murwillumbah Chamber of Commerce.
2. Conformance with a Traffic Management Plan and associated Traffic Control Plans installed and controlled by approved persons
3. Community and affected business consultation
4. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser details including a personal contact name and a telephone number for all event related enquiries or complaints
5. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event
6. Adequate public liability insurance being held by the event organiser
7. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event
8. Consultation with emergency services particularly Murwillumbah Police, Murwillumbah Fire brigade and Murwillumbah Ambulance
9. Arrangements made for private property access and egress affected by the event

B5 [LTC] Terranora Road, Banora Point

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3449717; 3456924; Traffic - Committee; Traffic - Safety; Traffic - Speed Zones; Sexton Hill Drive; Terranora Road

SUMMARY OF REPORT:

Request and petition received in relation to the concern for:

*"the dangerous road conditions existing for drivers seeking entry and exit to our Aged Care premises*

1. *Speed of vehicles turning east on Terranora Road to traffic lights*
2. *Speed on right hand turn off Sexton Hill Drive to Terranora Road*
3. *Above - of vehicles on wet roads fish-tailing their vehicles around this corner and on the hill of Terranora Road*
4. *Extreme exhaust noise after turning left or right into Terranora Road*

*We have a high volume of traffic entering and departing on a daily basis eg; 17 odd resident's cars, approximately 30 care staff covering 24 hour shifts, operations staff, ambulance, fire brigade, catering vans, chemical suppliers, Origin, external service providers covering 24/7, trades personal - ALL on a daily basis. We have Dr's, pathology, podiatry, volunteers, hairdresser and resident's visitors and relatives.*

*Since the change to the new highway the noise conditions are worse now than when we had the heavy transport.*

*We have had 3 accidents in a short period of time 2 of which damaged the walls on each side of our entrance gate from vehicles 'flying' around the corner to beat the lights. We have had a further road accident whereby a young man lost his life."*

A similar request was discussed at the LTC meeting held 12 June 2014 which is reproduced below:

*" I am concerned with the number of vehicles that now consider Terranora Road as their personal speedway. The speed limit on Terranora Road is 50 KLM but most vehicles going past our place are traveling (sic) much quicker than this.*

*Unfortunately (sic) most are P plate drivers with Qld number plates.*

*I have already (sic) witnessed 1 accident where a car crashed into the brick wall at the Nursing home on the corner resulting in the wall having to be rebuilt.*

*Some of the residents from the nursing home walk along Terranora Rd , fortunately not at this time. I have also witnessed a 4WD overtaking across the double lines for a distance of at least 100 mtrs towards the crest up from the traffic lights.*

*I have been in touch with the local police and have noticed an increase in patrols. If the traffic was reduced to 1 turning lane from the old highway into Terranora Rd it would reduce the apparent need to race each other from the lights.*

*I hope something can be done to slow the traffic and get some of the hoons of a very busy road."*

With the Committee advice from that meeting being:

*"That the current lane configuration on Sexton Hill Drive supports the capacity constraints turning right at the intersection and as such should not be reduced to one lane."*

Note: The previous incoming request forms Confidential Attachment 2.

Further advice received dated 2/9/14:

*"Further to my letter regarding the traffic problems at the intersection of Sexton Hill Rd and Terranora Road, Banora Point, I wish to make suggestions that I consider could assist to overcome some of the problems associated with this area:*

1. *Turning into Terranora Rd from the South side of Sexton Hill Rd. A speed sign of 30KPH plus a slight speed bump where the current pedestrian crossing is now.*
2. *A sign 50KPH where the entrance lane is off the Sexton Hill Rd to make the right hand turn into Terranora Rd plus a further 50KPH sign after you have made the turn into Terranora Rd (Traffic Light Area).*
3. *Pedestrian crossing for children to cross over Terranora Rd near the front gate of Tall Trees Ocean View. This will also assist residents to walk to nearby shops to cross the road instead of having to negotiate the hill down and back from the lights at this intersection.*
4. *Speed sign 30KPH down Terranora Rd to the lights to make left or right turns on Sexton Hill Rd. There is a 50KPH zone along Terranora Rd which is occasionally being observed by the police but not as low as our area where the speeding offences plus noise is taking place."*

COMMITTEE ADVICE:

That:

1. The reduction in speed limit to 30km/h is not supported as the request does not conform with the RMS Speed Zoning Guidelines and the installation of a speed bump at the marked pedestrian crossing may lead to rear end crashes and this is not considered a standard treatment for these devices.
2. Council officers investigate installing an additional 50km/h speed zone sign on Terranora Road in close proximity to the signals at Sexton Hill Drive.
3. Existing crossing facilities exist at the traffic signals and additional marked crossings within this vicinity would not meet the warrants nor conform to RMS Guidelines for these devices.
4. The reduction in speed limit to 30km/h is not supported as the request does not conform with the RMS Speed Zoning Guidelines.

B6 [LTC] Tweed Coast Enduro Triathlon - 29 March 2015

ORIGIN:  
Planning & Infrastructure

FILE NO: ECM 3458985; Traffic - Committee; Traffic- Safety; Traffic- Control; Festivals/Events - Other; Philip Street; Overall Drive; Tweed Coast Road, Wooyung; Coronation Avenue

SUMMARY OF REPORT:

Request received for the conduct of the first Tweed Coast Enduro Triathlon on Sunday 29 March 2015.

*"The Tweed Coast Enduro is a long course distance triathlon event (1.9km swim, 90km cycle and 21.1km run) that will complete the cornerstone of our multisport offering, including two Kingscliff Triathlons and the Byron Bay Triathlon which have become marquee sports tourism events. The Enduro continues the fine tradition of delivering simple, enjoyable, well-executed events in wonderful locations.*

*The long distance triathlon will attract about 500 participants and the social Aquathon is expected to attract 100 competitors, plus an estimated 500 supporters.*

*Saturday 28 March 2015*

*3.00pm Registration & Transition Open*

*7.00pm Registration and Transition Close*

*Sunday 29 March 2015*

*5.00am Registration Opens*

*6.00am Estimated First Swimmers Away*

*8.00am Local Markets Open*

*12.00pm Cycle Leg Curfew*

*3.00pm Run Leg Curfew*

*6.00pm Complete site pack down"*

Items of concern include the closure off Overall Drive, access to the creek and possible conflict with set up for the Pottsville Markets, rubbish disposal along Tweed Coast Road

Mr Crawley attended the meeting at 11.05am and outlined the route.

#### COMMITTEE ADVICE:

That the Committee supports the Tweed Coast Enduro Triathlon on 29 March 2015 in principle, however it is considered that further community consultation is required and a review of the proposed routes undertaken.

B7 [LTC] Tweed Valley Way, Mooball

#### ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3444830; Traffic - Committee; Traffic - Speed Zones; Residents/Ratepayers & Community; Tweed Valley Way, Mooball

#### SUMMARY OF REPORT:

Request received in relation to the speed of vehicles on Tweed Valley Way, Mooball.

*"Concerns have been expressed on speeding traffic along Tweed Valley Way Mooball.*

*We contacted council last year with fears for traffic entering and leaving the unnamed laneway between the Victory Hotel and Post Office at Mooball and you resolved to modify lanemarking which we appreciated. However, we still have a problem with speeding traffic along Tweed Valley Way Mooball.*



*At our recent meeting of the Mooball & Dist Moovers Inc this problem was discussed. As this stretch of road involves school buses, unmarked crossings, pedestrians of all ages using our footpath we feel for the safety of our community. We would like to see the speed limited to 50km/h.*

*We would like your opinion on this or other alternatives for the safety of our community."*

The most recent survey data shows that the 85<sup>th</sup> percentile speed through Mooball is 67km/h. It should be noted that there is very limited development on the north side of Tweed Valley Way through the village. It is unlikely that a reduction in the speed limit to 50km/h would result in a change in driver behaviour however Council could consider the installation of a pedestrian refuge adjacent to the bus lay-by and the pub.

COMMITTEE ADVICE:

1. Based on the reviewed data and the RMS Speed Zoning Guidelines it was considered that the 60km/h speed limit on Tweed Valley Way through Mooball Village is the most appropriate and the reduction to 50km/h is not supported.
2. The installation of a pedestrian refuge on Tweed Valley Way, Mooball be considered in future Works Programs.

B8 [LTC] East Banora Point - Traffic Issues

ORIGIN:  
Planning & Infrastructure

FILE NO: ECM 3386338; Traffic - Committee; Traffic - Speed Zones; Traffic - Bus Zones; Signs - Traffic Issues; Traffic - Lights; Local Area Traffic Management; Laura Street; Oyster Point Road; Seaview Road; Anderson Street; Anthony Avenue; Sexton Hill Drive; Parks - Wilson Park

SUMMARY OF REPORT:

This item is brought forward from the meeting held 21 August 2014 and is reproduced as follows:

*"Request received from East Banora Residents Association via NSW Police, for Local Traffic Committee assistance with the following matters:*

1. *Excessive speeding. This matter has been referred to NSW Police Force to assist with enforcement of the 50km/h speed limit.*
2. *Traffic light phasing at Laura Street and Sexton Hill Drive - RMS TMC (Traffic Management Centre) indicate that the phases are correct for the traffic volumes travelling on both roads and will monitor and change the phasing if necessary.*
3. *Additional 50 km/h signs requested in Oyster Point Road. No additional signs are required to be erected in the 'built up area' as the State speed limit in built*

*up areas is 50km/h unless otherwise signposted. However, 50km/h road stencils will be painted onto the road, near the intersection of Anderson Street and near the intersection of Anthony Avenue (near the corner shop) to reinforce the posted speed limit in this higher pedestrian activity area. (Road stencilling has been actioned).*

4. *Request for "Give Way" or "Stop" signs at the T-intersection of Anderson Street and Oyster Point Road are not supported. T (terminated street) intersections are addressed under Australian Road Rules where an overriding "Give Way" at the terminated street is required. This is referred to the LTC to consider and review the current linemarking which has been recently renewed.*

*Recent additions to linemarking in the area including additional '50' stencils are considered to have addressed the issues raised.*

COMMITTEE ADVICE:

*That:*

1. *No action be taken regarding the request for a 'Give Way' sign on Anderson Street at the intersection with Oyster Point Road, Banora Point.*
2. *A review of right turn signal phasing at the intersection of Laura Street and Sexton Hill Drive be undertaken by RMS.*

*Michael Kenny left the meeting at 11.30am"*

From Meeting held 25 September 2014:

COMMITTEE ADVICE:

That:

1. No further action be undertaken at Oyster Point Road, Banora Point as the intersection has recently been upgraded for linemarking and signage.
2. A review of right turn signal phasing at the intersection of Laura Street and Sexton Hill Drive be undertaken by RMS.

B9 [LTC] Hillcrest Avenue, Tweed Heads South

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3451502; Traffic - Committee; Pedestrian Crossings; Traffic - Safety; Pedestrian Safety; Roads - General; Hillcrest Avenue, Lakeview Parade; Acacia Street; James Road

SUMMARY OF REPORT:

Request received in relation to the Acacia Street, James Road, Hillcrest Avenue and Lakeview Parade streets.

*"There is no pedestrian access down Hillcrest Ave and there are regular walkers, even school children. This is particularly dangerous when there are 2 cars passing up the hill even worse when the bus comes around the corner.*

*The entire hill should have double lines all the way up as cars regularly park either side limiting access and view of traffic. No cars should be parking on this hill ? Particularly at the end of the street Lakeview Parade / Hillcrest Avenue.*

*The street entry to Lakeview Parade coming down the hill to turn left into Lakeview is blinded by bushes which need to be cut down. It is quite dangerous as you cannot see a car coming up to turn out of Lakeview.*

*Further down Lakeview there is a concealed driveway sign which you cannot see because of the trees grown over it.*

*Can you pls advise if any action will be taken or if any plans are in place to upgrade this area. It is increasingly becoming a high traffic zone (bus route) with a school on one side a shops on the other."*

COMMITTEE ADVICE:

That due to the available sight distance in this urban environment the existing double centre line marking on Hillcrest Avenue remain as is.

B10 [LTC] Seaview Street, Kingscliff

ORIGIN:  
Planning & Infrastructure

FILE NO: ECM 3454102; CRM TRA14/0022; Traffic - Committee; Traffic - Safety; Traffic - Pedestrian Crossings; Development Applications - General; Seaview Street, Marine Parade, Kingscliff

SUMMARY OF REPORT:

A request has been received for a pedestrian crossing at the intersection of Seaview Street and Marine Parade.

Pedestrian counts are currently being undertaken at the location in Seaview Street, near the intersection of Marine Parade.

COMMITTEE ADVICE:

The Committee noted that:

1. The site did not meet the RMS vehicle number warrants and therefore a marked pedestrian crossing should not be installed on Seaview Street near the intersection of Marine Parade.

2. Any obstructions should be removed that restrict pedestrian and driver sight distances.

B11 [LTC] Cane Road and Tumbulgum Road Intersection Murwillumbah

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3417690; Traffic - Committee; Traffic - Safety; Traffic - Roundabouts;  
Signs - Traffic Issues; Cane Road; Tumbulgum Road

SUMMARY OF REPORT:

This item is brought forward from the meeting held 21 August 2014 and is reproduced as follows:

*"Request received for improved safety at the intersection of Cane Road and Tumbulgum Road, Murwillumbah:*

*"I would like to highlight a safety issue at the intersection of Cane Road and Tumbulgum Road.*

*First a bit of history regarding this intersection. The road junction was upgraded in 1996 with concrete substructure raising the intersection and providing some safety improvements in the form of better visibility and greater offset angle in the event of a vehicular collision. Although I'm not an engineer I believe it would have been an opportunity in 1996 to also install a "pancake" style roundabout at the intersection to slow traffic on both Cane Road and Tumbulgum Road and provide a considerable improvement in safety for road users. In my view this type of roundabout would not impede the movement of heavy vehicles and would further increase vehicle offset angles in the event of a collision. I recollect that provision of a roundabout was possibly ruled out at the time due to:*

- Heavy vehicles (i.e. cane trucks) could have difficulty negotiating a roundabout*
- encroachment of cane drains in the vicinity of the intersection and the requirement for Council to acquire additional land and in turn some fairly major earthworks.*

*I have observed a definite increase in the volume of traffic on both Cane Road and Tumbulgum Road in recent years. Although I do not know the traffic accident statistics for this particular intersection, "T" junctions and "X" intersections without any form of traffic control other than give-way signs, particularly in relatively high speed, high volume traffic areas must represent a considerable risk to road users."*

### INVESTIGATION

See marked attachments for:

1. *Tumbulgum Road photos - heading north*
2. *Tumbulgum Road photos - heading south*
3. *Cane Road / Tumbulgum Road Intersection - crash history*
4. *Cane Road / Tumbulgum Road median alteration*

5. Cane Road - Accident History / Speed Limits

An investigation of the intersection has been undertaken and relevant comments follow:

- Prime concern at this intersection is the uneven angle of vision for vehicles turning east on to Cane Road from Tumbulgum Road (northbound). This is caused by the acute angle of the western leg of the intersection. Also the angle of the afternoon sun can hamper westbound sight lines. Improvement is warranted. The acute angle looking west can be improved by directing motorists to approach the stop line at a perpendicular angle. Modification of the existing median island and associated linemarking would facilitate this and is recommended. See attachment marked 4.
- Sight distances at the intersection are seasonally variable (due to sugar cane growth in adjacent fields), however even at current peak growth times they are considered reasonable. ASD and SISD calculations have not been performed. See attachments marked 1 and 2.  
(Note that traffic counts are currently underway that will enable accurate ASD and SISD determinations if required.)
- Two crashes have occurred at the intersection since 2008 with two other crashes in close proximity (one not recorded yet very recent). No fatalities have occurred. See attachment marked 3.
- Traffic counts for westbound traffic on Cane Road approaching the intersection have steadily risen from 3,859 in 2007 to 4,845 in 2013. For the same period and location the 85<sup>th</sup> percentile speed has dropped from 89 km/h to 86 km/h.

Current traffic counts for Cane Road will be supplied at the meeting for areas as follows:

- Westbound approach 2,686 (7 day daily average)
- Westbound departure 720 "
- Eastbound approach 710 "
- Eastbound departure 2,482 "

Current 85<sup>th</sup> percentile speed readings will be supplied at the meeting for areas as follows:

- Westbound approach: 88
- Westbound departure: 91
- Eastbound approach: 98
- Eastbound departure: 82

- Determination of whether the sugar cane is being grown beyond private property boundaries and obscuring vision is pending: (awaiting boundary pegging by Surveyors. Significant encroachment is unlikely, but advice should be available for the LTC meeting).
- Carriageway widening for Cane Road to facilitate improved Basic Left Turn (BAL) movements (per Austroads Figure 4.1) are not considered necessary.
- Construction of a roundabout is not considered warranted.
- A reduction of the existing speed limit on Cane Road from 100 km/h to 80 km/h could be considered in a review mechanism by the RMS, for the section from the existing 60 km/h sign near Tumbulgum Bridge (approximately 600m east of the intersection) to (say) 100m west of the intersection.
- Should the preceding matter be supported for consideration, then opportunity is available to also consider extending the 80 km/h speed limit further west to cover

*the Racecourse Road intersection. Previous safety concerns have been raised regarding this intersection where horses regularly cross the roads. A detracting factor for this consideration is a 1.4 km straight section of Cane Road between these two intersections, which is not conducive to a reduced speed limit. See attachment marked 5.*

*RMS suggested that Council should also consider changes to signage at the intersection to reflect the major traffic movements by providing priority to Tumbulgum Road, rather than Cane Road.*

**COMMITTEE ADVICE:**

*That consideration be given to:*

- 1. Increasing the size and shape of the existing median island at the intersection of Cane Road and Tumbulgum Road to better direct motorists to stop perpendicular to the 'Stop' line. This entails widening of the northern end of the concrete island to a triangular shape and re-apply linemarking accordingly.*
- 2. That RMS conduct a speed zone review of Cane Road Condong from the intersection of Tweed Valley Way to the intersection of Racecourse Road.*

*Current Status: (This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 21 August 2014).*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 21 August 2014 (Item B5)."*

From Meeting held 25 September 2014:

**COMMITTEE ADVICE:**

The Committee noted that increasing the size and shape of the existing median island at the intersection of Cane Road and Tumbulgum Road to better direct motorists to stop perpendicular to the 'Stop' line had been implemented and considered there was no further review of the speed limit in this vicinity required.

B12 [LTC] Pearl Street, Kingscliff

ORIGIN:  
Planning & Infrastructure

FILE NO: ECM 3469062; Traffic - Committee; Traffic - Pedestrian Crossings; Traffic - Safety; Pearl Street, Kingscliff

**SUMMARY OF REPORT:**

Verbal requests have been received to install suitable pedestrian facilities in Pearl Street in close proximity to the Kingscliff Shopping Centre and the Turnock Street roundabout.

A pedestrian refuge was planned to be installed however turning templates have shown that coaches are unable to make the turn from Turnock Street into Pearl Street with a refuge in this location. Surveys of pedestrian movements will be tabled at the meeting to determine whether or not it meets the warrants for a marked pedestrian crossing.

COMMITTEE ADVICE:

The RMS pedestrian warrants are not met for a marked pedestrian crossing on Pearl Street near Turnock Street and therefore a marked pedestrian crossing should not be installed.

The Committee noted that currently there is redevelopment of the Kingscliff Hotel and once this new development is completed further pedestrian counts should be conducted in this vicinity.

B13 [LTC-LATE] Tyalgum Road, Murwillumbah

ORIGIN:

Planning & Infrastructure

FILE NO: ECM 3282718; Traffic - Committee; Traffic - Speed Zones; Traffic - Safety; Bus - Stops; Bus - Routes; Tyalgum Road

SUMMARY OF REPORT:

This report has been listed on the Schedule of Outstanding Resolutions since the meeting held 13 February 2014. The item is reproduced below and advice received by RMS is that further data is available and ready for discussion.

*"Request received for a reduction in the speed limit on Tyalgum Road, Murwillumbah.*

*"....I would like I strongly believe it is a matter of pedestrian and motorists safety. I also asked that this limit be reduced as young children are regularly waiting for their school bus on this road next to an electric fence and waterway having to keep safe from traffic travelling at 100klms per hour and are also having to cross this road. This road directly passes a residential estate and street facing houses. Another concern is the location of a childrens park which is not much more than 100metres away from this road. From this estate there is no path for pedestrians to walk along if wishing to access local shops meaning that pedestrians have to walk along a 100 km per hour road. There is also no public bus that comes through this estate, only bus available is on Tyalgum road. I have spoken to bus company requesting they pick up school children on Sovereign heights estate, they say this is not possible as there is nowhere to turn and the only other road they can exit Sovereign Heights estate is Old Lismore Road which is even more dangerous as not only does it come out onto Tyalgum Road (100klm per hour road) but at this point there is no visibility for the bus to safely pull out. I have spoken to other residents who would also like the road speed reduced from the Old Lismore Road to the Tyalgum/Kyogle road intersection, reasons being for pedestrian safety, their childrens safety, motorists safety. I do not believe that a reduction in speed to a residential area speed should affect motorists speed in which they get to their destination as it is only an area of less than 1klm. On this stretch of road if travelling from Old Lismore road to Tyalgum/Kyogle road intersection you have to slow down towards the intersection so I don't believe it will delay travellers by more*

*than 1 minute, but the safety to me far out ways how fast someone gets to work, home or to the shops. Perhaps drivers should allow 1 extra minute in their daily drive along this road."*

*Sovereign Heights Estate is a comparatively new subdivision where access off Tyalgum Road has been constructed to the appropriate standard for a 100kph road. Sight distance for motorists exiting the estate is approximately 200 metres to the west. It is not unusual for children to wait for a bus on rural roads, however this is a decision for parents and bus operators. Reducing the speed limit on Tyalgum Road in this vicinity is unlikely to result in a change in driver operating speeds unless the reduced speed limit is heavily enforced.*

*A number of driveways directly access Tyalgum Road west of Sovereign Way. Speed surveys should be undertaken in this vicinity and forwarded to the RMS for speed zone reviews.*

**COMMITTEE ADVICE:**

*That the speed limit on Tyalgum Road be considered for a review by the Roads and Maritime Services according to the speed zoning guidelines.*

Current Status: *(This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 21 August 2014).*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 13 February 2014 (Item B4)."*

From Meeting held 25 September 2014:

The RMS Representative tabled proposed changes to the speed limit and based on the Committee's advice will provide direction to Council on speed zone changes for Tyalgum Road, Murwillumbah.

**COMMITTEE ADVICE:**

That the speed review of Tyalgum Road, Murwillumbah be placed on the Schedule of Outstanding Resolutions.

B14 [LTC-LATE] Tweed Coast Road - Wooyung Road, Pottsville (A4)

ORIGIN:  
Planning & Infrastructure

FILE NO: ECM 3353132; Traffic - Committee; Speed - Zones; Wooyung Road; Kellehers Road, Pottsville; Tweed Coast Road, Pottsville



SUMMARY OF REPORT:

This report has been listed on the Schedule of Outstanding Resolutions since the meeting held 12 June 2014. The item is reproduced below and advice received by RMS is that further data is available and ready for discussion:

*"From meeting held 12 June 2014.*

*The RMS have received correspondence from a Pottsville resident requesting a further review of the speed limit on Wooyung Road near Kellehers Road Pottsville. The RMS have advised that it is recommending a reduction in the speed limit to 80km/h from approximately 200m south of Kellehers Road continuing to the 50km/h posted speed limit at the Pottsville Cudgera Creek Bridge.*

COMMITTEE ADVICE:

*That the Committee supports the recommendation for a reduction in the speed limit to 80km/h on Wooyung Road from approximately 200m south of Kellehers Road continuing to the 50km/h posted speed limit at the Pottsville Cudgera Creek Bridge and an article be placed in the Tweed Link outlining the reasoning behind the speed reduction.*

RECOMMENDATION TO COUNCIL:

*That this item be sent to RMS requesting a review of the speed limit on Wooyung Road between Kellehers Road and Pottsville.*

Current Status: *(This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 21 August 2014).*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 12 June 2014 (Item A4).*

*From meeting held 21 August 2014:*

*The Committee requested that the Pottsville Residents Association be informed of the outcome of the speed zone review results. RMS advised that the field work has been completed."*

From Meeting held 25 September 2014:

The RMS Representative tabled proposed changes to the speed limit and based on the Committee's advice will provide direction to Council on speed zone changes for Tweed Coast Road, Wooyung Road, Pottsville.

COMMITTEE ADVICE:

That the speed review of Tweed Coast Road, Wooyung Road, Pottsville be placed on the Schedule of Outstanding Resolutions.

B15 [LTC-LATE] Fraser Drive, Banora Point

ORIGIN:  
Planning & Infrastructure

FILE NO: ECM 3194837; 3472865; Traffic - Committee; Speed Zones; Safety; Fraser Drive, Banora Point

SUMMARY OF REPORT:

This report has been listed on the Schedule of Outstanding Resolutions since the meeting held 7 November 2013. The item is reproduced below and advice received by RMS is that further data is available and ready for discussion.

*"Request received for a reduction in the 80km/h speed zone on Fraser Drive Banora Point/Terranora based on the following:*

*"The matters to take in consideration are:*

- 1. There are no footpaths to speak of, forcing the many people, including children, having to walk on the road verge because of the rough nature either side of the bitumen. Many bike riders walk their bikes up the steep hill.*
- 2. At night there is no street lighting in the areas of the road that are currently 80km/h particularly in the vicinity of the sporting fields. In a dark rainy night this danger is further advanced especially because of the bends in the road.*
- 3. The volume of traffic that now uses Fraser Drive, to and from Terranora Road, has increased enormously since its completion of The Sexton Hill. Vehicles turning from Terranora Road down the hill accelerate, exceeding the 60km/h prior to reaching 80km/h areas, making exiting driveways hazardous. Many of them are using mobile phones too.*
- 4. In the afternoon traffic sometimes queues 300 metres trying to turn into Terranora Road.*
- 5. Large numbers of bike riders use Fraser Drive.*
- 6. Whether we like it or not young people use the downhill for skateboard riding."*

*The Committee advice from the meeting on 8 August 2013 in relation to the speed limit on Fraser Drive between Vintage Lakes Drive and south of Acacia Street was to remain at 80 km/h as per the following:*

*"That the speed limit on Fraser Drive is considered appropriate and no changes are warranted.*

*The existing 80km/h speed limit on Fraser Drive extends south of Botanical Circuit to north of Glen Ayr Drive, a length of approximately 1.3km. Accident data shows 2 casualty and 1 injury crash in this area and additional crashes at the intersection of Amaroo and Fraser Drive. No speed surveys are available for the area. There are only 3 houses with direct access to Fraser Drive within the area.*

*Traffic volumes on Fraser Drive south of Terranora Road have reduced from 5556 in 2011 to 5063 in 2013.*

*ADVICE TO COMMITTEE:*

*That the 80 km/h speed limit on Fraser Drive remain.*

*COMMITTEE ADVICE:*

*That:*

- 1. This item be referred to the Roads & Maritime Services for a review of the speed limit on Fraser Drive, Banora Point.*
- 2. The Banora Point Residents Association be advised that a review of the speed limit on Fraser Drive (by the RMS) has been requested."*

Current Status: *(This item remain on the Schedule of Outstanding Resolutions from Local Traffic Committee meeting held 21 August 2014).*

*(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 7 November 2013 (Item B1)."*

From Meeting held 25 September 2014:

COMMITTEE ADVICE:

That the speed review of Fraser Drive Banora Point be placed on the Schedule of Outstanding Resolutions.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 30 October 2014 in the Mt Warning Meeting Room commencing at 10.00am.

There being no further business the Meeting terminated at 1.00pm.

**SECTION A - FORMAL ITEMS SECTION - DELEGATIONS FOR REGULATORY DEVICES FOR ENDORSEMENT BY COUNCIL:**

**A1 [LTC] Alma Street, Murwillumbah**

**That:**

- 1. 'Zig zag' lines be installed on Alma Street on the approaches to the marked pedestrian crossing.**
- 2. 'Way Finding' signs be installed on River Street advising pedestrians of the alternate access to the park and CBD.**
- 3. This item be brought back to the Committee in 12 months time.**

4. A letter be forwarded to St Josephs School advising of the alternate access to the park and CBD.

A2. [LTC] Greenway Drive, Tweed Heads South (

That the indented bus lay-by on Greenway Drive (western side) between Doyle Avenue and Enterprise Street be signposted as a 'Bus Zone'.

A3. [LTC] Hillcrest Avenue, Tweed Heads South (Moved to Item B9).

A4. New Year Falls Festival - North Byron Parklands

That:

1. Subject to suitable Traffic Management Plans and Traffic Control Plans being provided the proposed re-routing of traffic southbound off the Pacific Motorway at Cudgera Creek Road, Pottsville Road and Tweed Valley Way be supported for the New Year Falls Festival - North Byron Parklands event.

2. Proposed signage and variable message signs for the Pacific Motorway need to be referred to the RMS for approval.

A5. Seaview Street, Kingscliff (Moved to Item B10)

A6. Cane Road and Tumbulgum Road, Murwillumbah (Moved to Item B11)

A7. Pearl Street, Kingscliff (Moved to Item B12)

A8. Tweed Coast Road, Bogangar

That a 40 Km/h High Pedestrian Activity area as depicted in Plans SK01 to SK04 for Tweed Coast Road Bogangar be amended and subject to funding availability be implemented.

A9. Tyalgum Road, Murwillumbah (Moved to Item B13)

A10. Tweed Coast Road - Wooyung Road, Pottsville (Moved to Item B14)

A11. Fraser Drive, Banora Point (Moved to Item B15)

A12. Council Committees

That Council endorse the Traffic Engineer continuing as the Chair of the Local Traffic Committee.

#### **COUNCIL IMPLICATIONS:**

a. **Policy:**

Code of Meeting Practice

**b. Budget/Long Term Financial Plan:**

Not applicable.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

---

## CONFIDENTIAL ITEMS FOR CONSIDERATION

### REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

### REPORTS FROM THE GENERAL MANAGER IN COMMITTEE

#### C1 [GM-CM] Commercial Charges - Murwillumbah Airfield

#### REASON FOR CONFIDENTIALITY:

This report is confidential because it deals with the financial position of an individual business within the Shire.

#### Local Government Act

This report is **CONFIDENTIAL** in accordance with Section 10A(2) 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.



## Strengthening the Economy

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 Strengthening the Economy
  - 3.4 Provide land and infrastructure to underpin economic development and employment
  - 3.4.3 Manage Council business enterprises to provide economic stimulus and maximise returns to the community
- 
-