

## **OPERATIONS COMMITTEE**

### **01 [GC-OC] Upgrade of the Tweed Shire Council Computer Room**

#### **ORIGIN:**

**Information Systems & Technology**

#### **SUMMARY OF REPORT:**

Council's current computer room is located on the first floor of the main office in Murwillumbah and has outgrown its effective usefulness.

The growth in IT requirements and the need for true "business continuity" has resulted in an increase in the amount of hardware being installed in the Council computer room. There is an immediate business need to provide a data centre that is secure and scalable in terms of logistics and environmental conditions.

A decision was made to relocate the computer room to the second floor of the Murwillumbah office to allow for the construction of office space directly above the existing computer room.

The tender requirements for upgrading the computer room include power management, air conditioning, fibre cabling, 24x7 monitoring of the computer room environment, air conditioning and power redundancy, and maintenance of all installed equipment. The tender requirements do not include the construction of the new computer room walls or raised floor.

The criteria for assessing the responses outlined in the tender document was based on relevant experience, track record, technical skills, management, methodology, time performance and price.

#### **RECOMMENDATION:**

**That Council awards the tender for the supply, installation and fitout of equipment required for the new computer room to Sundata Pty Ltd for \$192,465.45 (GST exclusive).**

## **REPORT:**

### **BACKGROUND INFORMATION:**

The existing computer room is located on the first floor of the main office in Murwillumbah and has outgrown its effective usefulness as a low risk site based on the following:

- Growth in IT requirements and the need for true “business continuity” which has resulted in an increase in the amount of hardware being installed in the Council computer room.
- The current air conditioning unit does not meet the “Australian standard for Computer Accommodation - AS2834”.
- Many single points of failure exist in the current electrical reticulation system.
- The existing electrical and data cable management is less than ideal.
- Relocating the computer room will allow Council to construct additional office space above the existing computer room.

The business needs:

- To provide a data centre that is secure and scalable in terms of logistics and environmental conditions.
- To ensure business continuity and data security for all business critical applications.
- To ensure that environmental controls (i.e. power, air conditioning etc) are monitored 24 x 7.

The requirements for upgrading the computer room are, but not limited to:

- Electrical switchboard/s, incorporating mechanical services, dual bus essential supply, non-essential supply, UPS bypass supply, and future connection to external generator.
- Uninterruptible power supply with option for initial load and future redundancy.
- Transient voltage surge suppression devices for all critical services.
- Power distribution to specified number of racks in dual redundant paths.
- Computer room air conditioning. Air-cooled, floor standing, under floor discharge with redundant option.
- Monitoring services incorporating 24hr alarm notification via agreed method.
- Fibre and data cabling schedule.
- Maintenance schedule for installed equipment.
- Completion of works eight (8) weeks from issuing of work order.

### **TENDER EVALUATION:**

The tender evaluation is shown as Attachment 2 in the supplementary confidential attachment under separate cover.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Funding provided by loans and Section 94 contributions.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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1. **Confidential** Supplementary Information to Agenda Item Upgrade of the Tweed Shire Council Computer Room (x2) (DW 1417402).
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**O2 [GC-OC] 2006/2007 Fees & Charges - New Fee**

**ORIGIN:**

**Financial Services**

**SUMMARY OF REPORT:**

Council's domestic waste contractor, Solo Waste has implemented a new fee for domestic waste bins fitted with garbage compactors. Compacted waste removed from these bins expands by an estimated 60% once inside the Solo Waste garbage trucks.

It is proposed to increase the existing fee by 60% for bins fitted with compactors and on-charge the relevant property owners:

Size 3 Bin with compactor

1 collection per week      \$50.70

2 collections per week      \$95.80

This revised fee will have minimal impact on ratepayers, as currently there is only one property utilising this service. In accordance with the Local Government Act, appropriate public notice must be given of this fee increase. Any submissions received will be presented to Council.

**RECOMMENDATION:**

**That in accordance with Section 610F(1)(3) of the Local Government Act 1993, public notice of 28 days of the proposed fee for Size 3 Bin with compactor, 1 collection per week \$50.70 and 2 collections per week \$95.80, be provided.**

**REPORT:**

As per summary.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**03 [GC-OC] Decrease in Number of Councillors**

**ORIGIN:**

**Corporate Performance**

**SUMMARY OF REPORT:**

The Hon. Kerry Hickey, MP, Minister for Local Government by notice in the NSW Government Gazette, No. 72, dated 2 June 2006, has approved the decrease in the number of Councillors of the Tweed Shire Council from eleven to seven.

The decrease in numbers will not take place until the next election of the Council.

**RECOMMENDATION:**

**That Council notes the decision by the Minister for Local Government to decrease the Councillor numbers from eleven to seven, effective at the next election of the Council.**

**REPORT:**

Following is the advice that Council received in relation to the application by Tweed Shire Council to reduce the number of Councillors:



The Hon. Kerry Hickey MP  
Minister for Local Government

Mr Michael Rayner  
Acting General Manager  
Tweed Shire Council  
PO Box 816  
MURWILLUMBAH NSW 2484

COUNCILLORS- GENERAL

<b>TWEED SHIRE COUNCIL</b>	
FILE No. <b>ELECTIONS- GENERAL</b>	Doc ID: A53152
Doc. No. ....	Ref: 06/0428
REC'D 26 MAY 2006 18 MAY 2006	MIN: 06/2883
ASSIGNED TO: <b>BRACK, P</b>	
HARD COPY <input type="checkbox"/>	IMAGE <input checked="" type="checkbox"/>

Dear Mr Rayner

I am writing in relation to the application by Tweed Shire Council to reduce the number of councillors from eleven to seven in accordance with section 224A of the *Local Government Act 1993*.

I am pleased to advise that the application has been approved.

The Instrument of Approval will be published in the Government Gazette in the near future. I enclose a copy for your information.

Please note that the reduction will not take place until the election on 27 September 2008.

I have written in similar terms to the Administrators.

Yours sincerely

Kerry Hickey MP  
Minister





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**04 [EO-OC] Oxley Cove Peninsular Community Land Plan of Management**

**ORIGIN:**

**Water**

**FILE NO: Tweed River Committee**

**SUMMARY OF REPORT:**

The Tweed River Committee has prepared a Community Land Plan of Management for an area of foreshore land at Oxley Cove, on the banks of the Tweed River. The area covered by the plan is undeveloped open space with high conservation and recreational value. The Community Land Plan of management has been prepared in accordance with the Local Government Act 1993, and will be implemented with funding from the Tweed River Committee. A significant recommendation of the plan of management is the closure of section of track on the long narrow constructed strip of land at the end of Old Ferry Road, to motorised vehicles. The track is located on road reserve, and closure is being recommended to limit incidents of dumping and other anti-social activity, and increase the safety of the area for pedestrian use. Track closure is recommended for six months to allow a comprehensive assessment of both positive and negative aspects of it's closure, after which a final decision on vehicle access will be made.

**RECOMMENDATION:**

**That Council:-**

- 1. Adopt and implement the Oxley Cove Peninsular Community Land Plan of Management.**
- 2. Approve a six month trial closure of the road reserve at the end of Old Ferry Road on the river bank to the west of the mouth of the canal estate pursuant to Section 122 of the Roads Act, 1993 being the temporary regulation of traffic and advertised accordingly.**

**REPORT:**

Oxley Cove Canal Estate is located off Old Ferry Road, Banora Point, and sits opposite Chinderah on the banks of the Tweed River. As well as residential homes and constructed waterways, the area is characterised by the presence of two areas of undeveloped foreshore land, highly popular for recreation.

A significant portion of this area is community land under the management of Council, and due to its high value in terms of both conservation and recreation, a community land plan of management has been prepared for the area in accordance with the requirements of the Local government Act 1993. This project has been undertaken with funding from the Tweed River Committee.

The Oxley Cove area and its attendant open space is shown in the aerial photograph below. Land coloured yellow is community land, areas with blue hatch are wetland protected under SEPP 14. The area where vehicles are proposed to be excluded on a six-month trial is located on the long narrow section of land, west of the canal entrance.



Figure 1. Oxley Cove canal Estate – Community Land and SEPP 14 Wetland

In accordance with the requirements of the Local Government Act, community land has been classified and recommendations for management of each part of the area developed. The bulk of this area is classified as Natural Area – Bushland, however certain appropriate portions have been classified as General Community Use.

During preparation of the Community Land Plan of Management, community consultation has been undertaken in accordance with the requirements of the Local Government Act.

Consultation has included:-

- Two mail outs to residents in the immediate locality
- Interviews with residents during preparation of the draft plan
- Distribution of surveys to assess community priorities
- Exhibition of the draft document and consideration of submissions
- A public meeting

The two main goals of the Community Land Plan of Management have been to protect and enhance the biodiversity values of the subject land, while supporting and ultimately improving the recreational opportunities provided in the area. Presently, parts of the area are degraded by high levels of weed infestation, and there are also strong community concerns relating to the use of motor vehicles in an area popular with walkers.

Generally there is a high level of satisfaction with the content of the plan, however there is one recommendation that has attracted opposition from a small number of people. This recommendation is to restrict motorised vehicle access to a section of the river foreshore at the end of Old Ferry Road, a step which will improve pedestrian safety and perhaps reduce anti-social behaviour in the area. To fully gauge the implications of this access restriction, and receive feedback from community members not reached through consultation, a trial track closure is recommended, with a final decision on the access being made following further submissions from affected parties. Notification of Councils intent to proceed with the temporary closure of the Road Reserve will be placed in the Tweed Link, if the recommendations of this report are adopted.

Another important recommendation of the plan is for a park design to be prepared for part of the land, a section previously cleared and heavily infested by weeds, classified under the plan of management as general community use. Such a plan will be commenced within 12 months of the adoption of this plan of management by Council with funding allocated to this area from the Recreation Services Unit.

A complete copy of the Oxley Cove Peninsular Community Land Plan of Management can be viewed at the Council Meeting, with the Director Engineering & Operations and can be found at DW 1397350.

#### **LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

The Tweed River Committee has allocated \$40, 000 from its 05/06 budget to implement the Plan of Management. Additional funding from the 06/07 Tweed River Committee budgets will be required, and this has been identified by the Tweed River Committee in forward allocation planning. Recreation Services have \$20, 000 available for a park design plan.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**O5 [EO-OC] Application to Close and Purchase Part of Road Reserve - Limosa Road, Tweed Heads West**

**ORIGIN:**

**Design**

**FILE NO: GR3/12/7**

**SUMMARY OF REPORT:**

Council has received an application to close and purchase part of a road reserve adjacent to Lot 113 in DP 701433 to allow for an existing carport encroachment. A compounding of minor errors has resulted in the carport encroaching onto the road reserve to a minimal degree. To correct this anomaly a small section of the road reserve is required to be closed and purchased by the landowner, being an arc of maximum 2m deep.

The road closure would not impact in any way on the properties either side of Lot 113, nor would it interfere with the pedestrian access currently available.

An inspection of the site has been conducted and it was determined that no Council or other service infrastructure was apparent within or near this part of the road reserve that would have a detrimental impact.

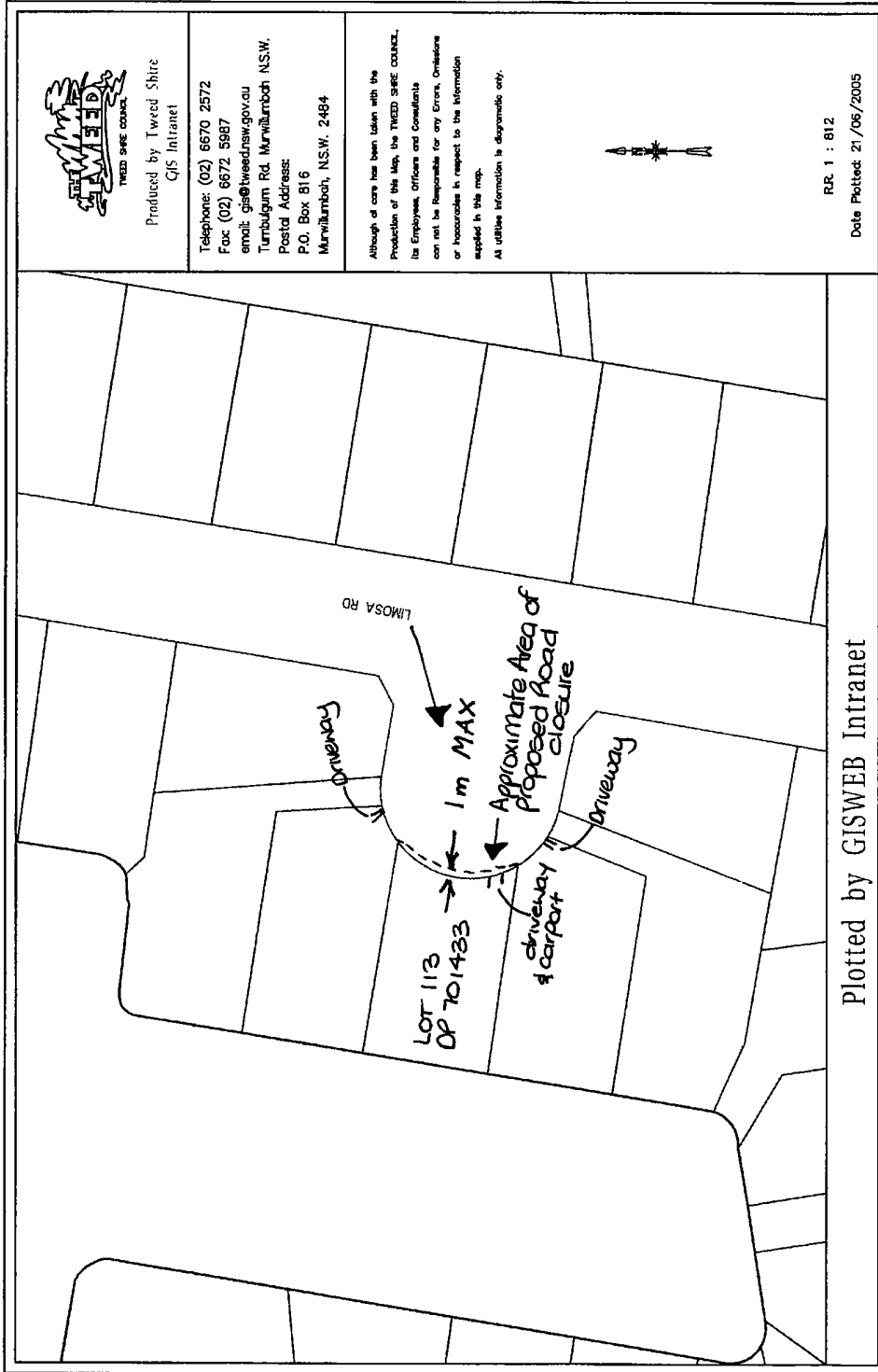
**RECOMMENDATION:**

**That:-**

- 1. Council approves the closure of part of the road reserve adjacent to Lot 113 in DP 701433, Limosa Road, Tweed Heads West;**
- 2. The applicant bears all the survey and legal costs and purchases the subject land as determined in value by a local registered valuer;**
- 3. The title of the closed road be consolidated with the adjacent land;**
- 4. Easements be created over public authority reticulation services, if any; and**
- 5. All necessary documentation be executed under Common Seal of Council.**

**REPORT:**

As per Summary of Report.





**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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**O6 [EO-OC] Telstra Lease from Council - Round Mountain Reservoir, Bogangar**

**ORIGIN:**

**Design**

**SUMMARY OF REPORT:**

At its meeting held on 15 September, 2005 Council received a report detailing the terms of a proposed lease to Telstra to enable them to construct a low impact facility on the Round Mountain Reservoir. It was resolved to enter into the Lease for a period of five years with a right of renewal at a rental of \$10,000 per annum.

The lease documentation has now been received and approved by Council and it is now necessary to resolve to execute the lease documentation under the common seal of Council.

**RECOMMENDATION:**

**That:-**

- 1. Council approves entering into a Lease with Telstra for a term of five (5) years with a right of renewal for three more consecutive terms of five years on the Round Mountain Reservoir located at Bogangar within Lot 24 DP1058759; and**
- 2. All necessary documentation be executed under the Common Seal of Council.**

**REPORT:**

As per Summary of Report, a copy of DP 1058759 showing the subject Lot where the Round Mountain Reservoir is located:-



**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**07 [EO-OC] Creation of Easement to Drain Water 4 Metres Wide - Lot 22 DP 617126 - 26 Wollumbin Street, Tyalgum**

**ORIGIN:**

**Design**

**SUMMARY OF REPORT:**

At its meeting held on 7 February, 2006 Council received a report relating to the sale of the subject land. The land was listed with two agents in Murwillumbah. An offer was made on the land over and above the listing price, this offer was accepted and Contracts were exchanged on 12 May 2006.

Prior to exchange of Contracts, Council inserted a special condition in the Contract providing that prior to settlement an Easement for Drainage 4 metres wide was to be created over the natural watercourse that dissects the property.





**REPORT:**

There had always been an intention to retain ownership of the watercourse as a great part of the stormwater in the vicinity is naturally directed toward it.

At a meeting held on 16 July 2003, Council received a report relating to the acquisition of Crown Land for the Tyalgum Pre School, and that such acquisition was to be funded from the proceeds of the sale of part of Lot 22.

The 16 July report resolved that Council:

- "1. Proceeds to purchase Lot 110 DP 728119 Carraboi Terrace, Tyalgum*
- 2. Proceeds to re subdivide Lot 22 DP 617126 Wollumbin Street, Tyalgum so as to retain the watercourse in Council ownership"*

In subsequent reports (17 March 2004 and 18 August 2004) relating to the sale of Lot 22, there was discussion relating to the subdivision potential of the land and the associated costs. When an offer was made on the land (that did not proceed to sale) the offer was accepted on the basis that the cost of subdivision would not be justified for the potential price to be obtained from subdivided parcels.

A plan creating the Easement has now been prepared and it is necessary to sign the plan as landowner, under common seal.

The proposed Plan of Easement is shown below:-

PLAN FORM 2

OFFICE USE ONLY

Requirement: C.A.: Title System: Purpose: Ref. Map: Land Plan:	TOWN OF TYALGUM PLAN OF EASEMENT FOR DRAINAGE OF WATER 4 WIDE WITHIN LOT 22 DP671726 Lengths are in metres. Reduction Ratio 1 : 500 LGA: TWEED Locality: TYALGUM Parish: TYALGUM County: ROUS This is sheet 1 of my plan in (under-division) sheets. Survey Certificate No. 101 I, COLIN JOHN LUTTON of TWEED SHIRE COUNCIL do hereby certify that the survey represented in the attached plan was made in accordance with the provisions of the Survey Act 2002, and was done in accordance with the provisions of the Survey Act 2002, and was done in accordance with the provisions of the Survey Act 2002. The survey relates to: EASEMENT ONLY. Done this 1st day of July 2006. Signature: (initials) Name: (print) Plans used in preparation of survey/compilation: DP671726 PANEL FOR USE ONLY for statements of intention to dedicate public roads or to create easements. This panel must be retained in conjunction with the plan on the site of land or positive covenants. PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919-44 IT IS INTENDED TO CREATE:- 1. EASEMENT FOR DRAINAGE OF WATER 4 WIDE
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SSM4705 FD (NOT EST)

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**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**O8 [EO-OC] Easement to Drain Water 3.5 metres wide - Lot 12 DP 1092500 - Terranora Road, Terranora**

**ORIGIN:**

**Design**

**FILE NO: DA02/1159 Pt8**

**SUMMARY OF REPORT:**

Following the final practical completion inspections of a 54 lot rural subdivision at Terranora, it was noted that it was necessary for the developer to construct field inlets to collect overland stormwater over Lot 12 and to direct the water into Council's road drainage system. These field inlets protect bus shelters and the footway fronting Lot 12.

As the necessity for the field inlets arose subsequent to the issue of consent and preparation of the subdivision plans, the easement is now being created by the registration of a Transfer Granting Easement, with Council as the Transferee as Council will have the benefit of the Easement.

As the benefiting authority of the easement, it is necessary for Council to sign the Transfer document under common seal, requiring a resolution to do so.

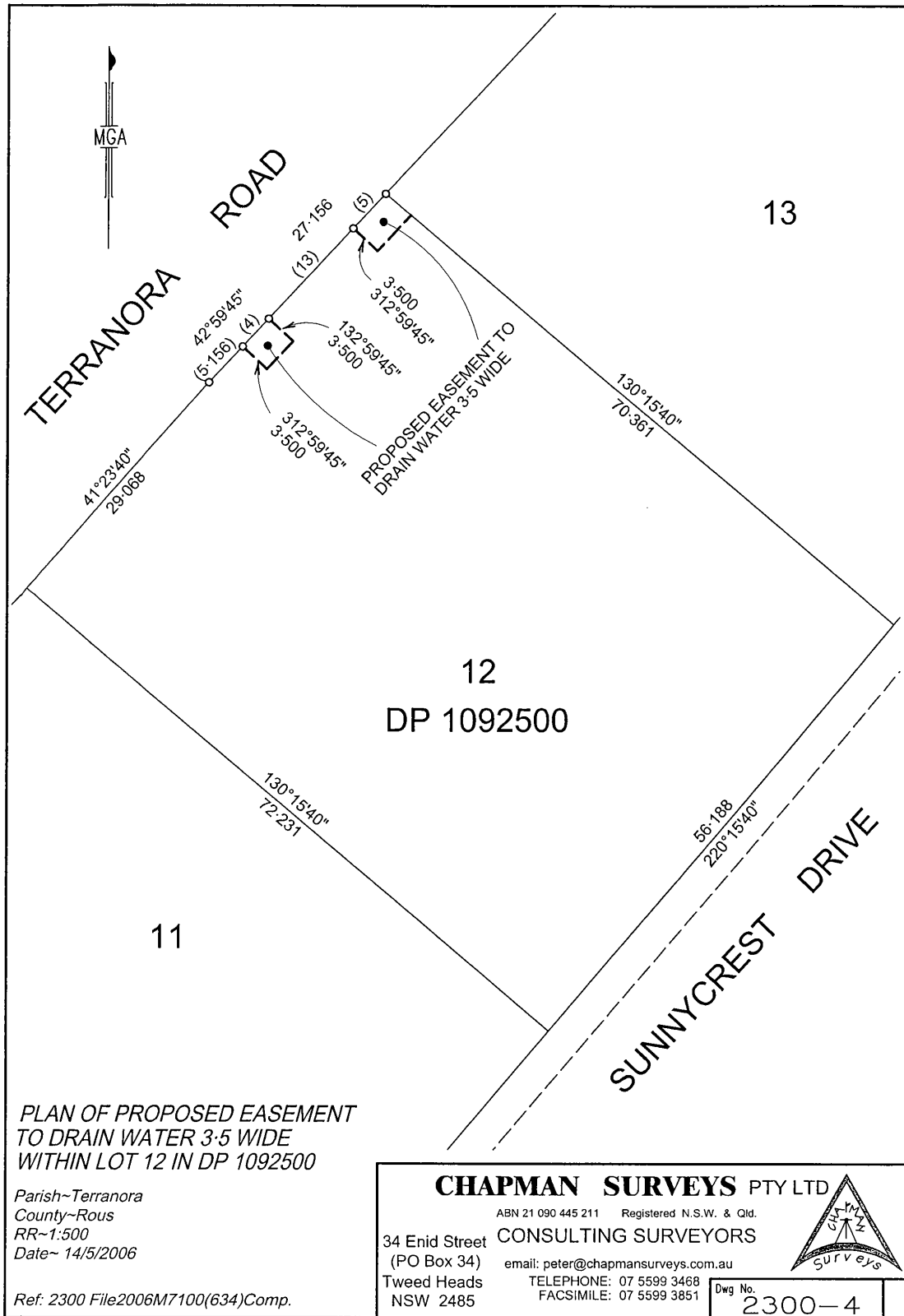
**RECOMMENDATION:**

**That:-**

- 1. Council approves the creation of an Easement to Drain Water 3.5 metres wide in Council's favour burdening Lot 12 in DP 1092500; and**
- 2. All necessary documentation be executed under the Common Seal of Council.**

**REPORT:**

As per Summary of Report, the plan showing the location of the proposed Easement is shown below:-



**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**09 [EO-OC] Land Acquisition for Road & Compensation Purposes -  
McConnells Road, Dunbible**

**ORIGIN:**

**Design**

**FILE NO: R3180**

**SUMMARY OF REPORT:**

The formation of McConnells Road at Dunbible encroached onto adjacent land and the affected landowner requested Council to remedy the situation by acquiring the land where the road formation was located and to close the unused road reserve. A survey plan has been prepared and registered under the Roads Act, 1993 for the acquisition of Lot 2 in DP 1081912 for dedication as road and the acquisition of Lot 1 as public road to be closed and transferred to the affected landowner for compensation purposes.

The acquisitions are to proceed under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 whereby an application is to be made to the Department of Local Government for approval to the acquisition.

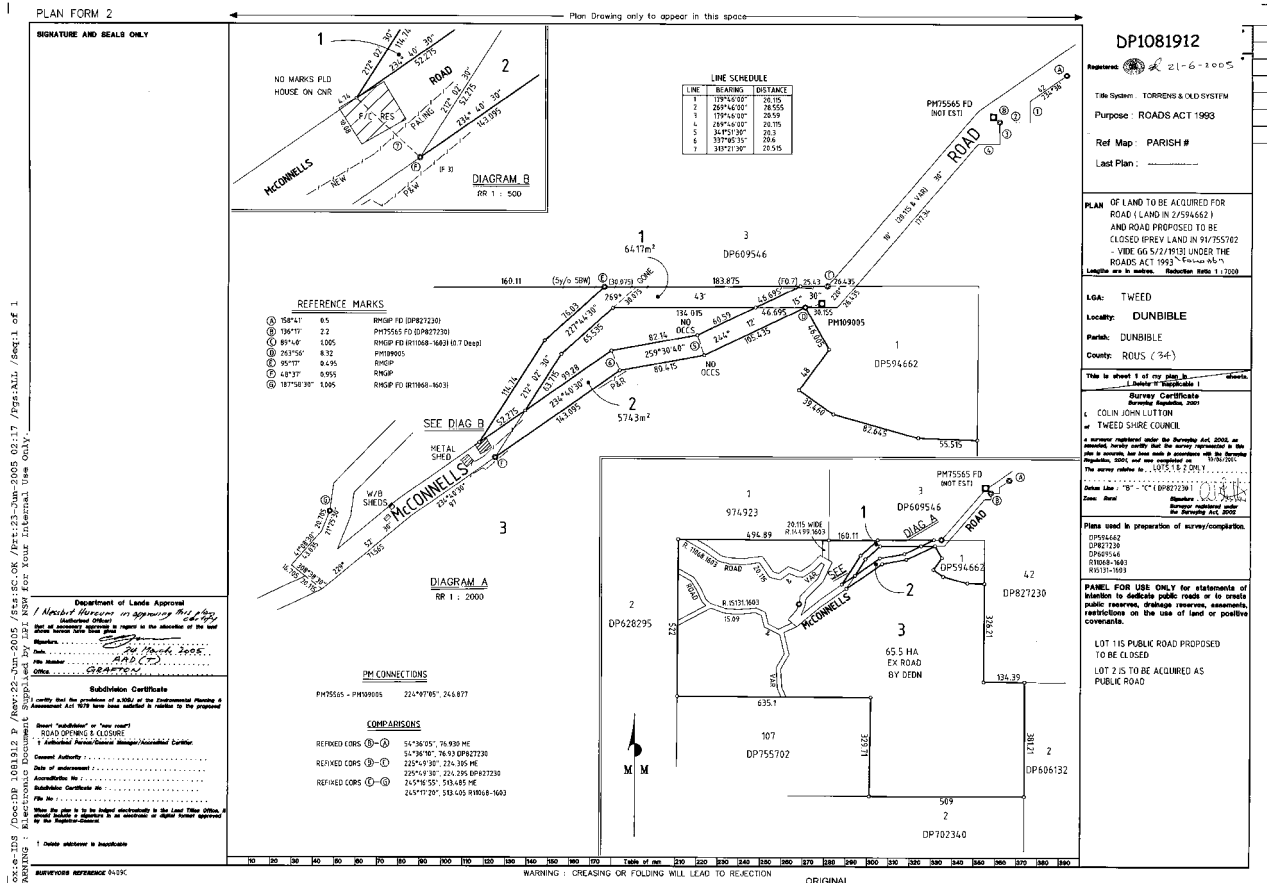
**RECOMMENDATION:**

**That:-**

- 1. Council approves the acquisition of Lot 2 in DP 1081912 for public road and the acquisition of Lot 1 in DP 1081912 for compensation purposes under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act, 1993 and the making of the necessary application to the Minister and/or Governor;**
- 2. Lot 2 in DP 1081912 be dedicated as road following gazettal of the acquisition; and**
- 3. All necessary documentation be executed under the Common Seal of Council.**

**REPORT:**

DP 1081912, shown below, shows the parcels subject of this report:-



**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

**O10 [EO-OC] Land Acquisition of Crown Land & Creek Bed for Road Purposes - Cudgen Creek, Kingscliff**

**ORIGIN:**

**Design**

**SUMMARY OF REPORT:**

To enable the construction of the bridge and cycleway over Cudgen Creek at Kingscliff it is necessary to acquire an area of Crown Land, being partly foreshore land and an area of creek bed. A survey plan has been prepared and registered under the Roads Act, 1993 for the acquisition of Lot 1 in DP 1095491 for dedication as road.

The Department of Lands has concurred the acquisition.

The acquisition is to proceed under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 whereby an application is to be made to the Department of Local Government for approval to the acquisition.

**RECOMMENDATION:**

**That:-**

- 1. Council approves the acquisition of Lot 1 in DP 1095491 for public road under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act, 1993 and the making of the necessary application to the Minister and/or Governor;**
- 2. Lot 1 in DP 1095491 be dedicated as road following gazettal of the acquisition; and**
- 3. All necessary documentation be executed under the Common Seal of Council.**

**REPORT:**

DP 1095491, shown below, shows the parcel subject of this report:-



**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

The cost of purchasing this land is estimated at \$5,000. Funding has been voted for the construction of this bridge in the 2006/2007 budget.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**O11 [EO-OC] Closure of Pathway - 17-19 Moss Street, Kingscliff**

**ORIGIN:**

**Design**

**FILE NO: GR3/12/6 Pt3**

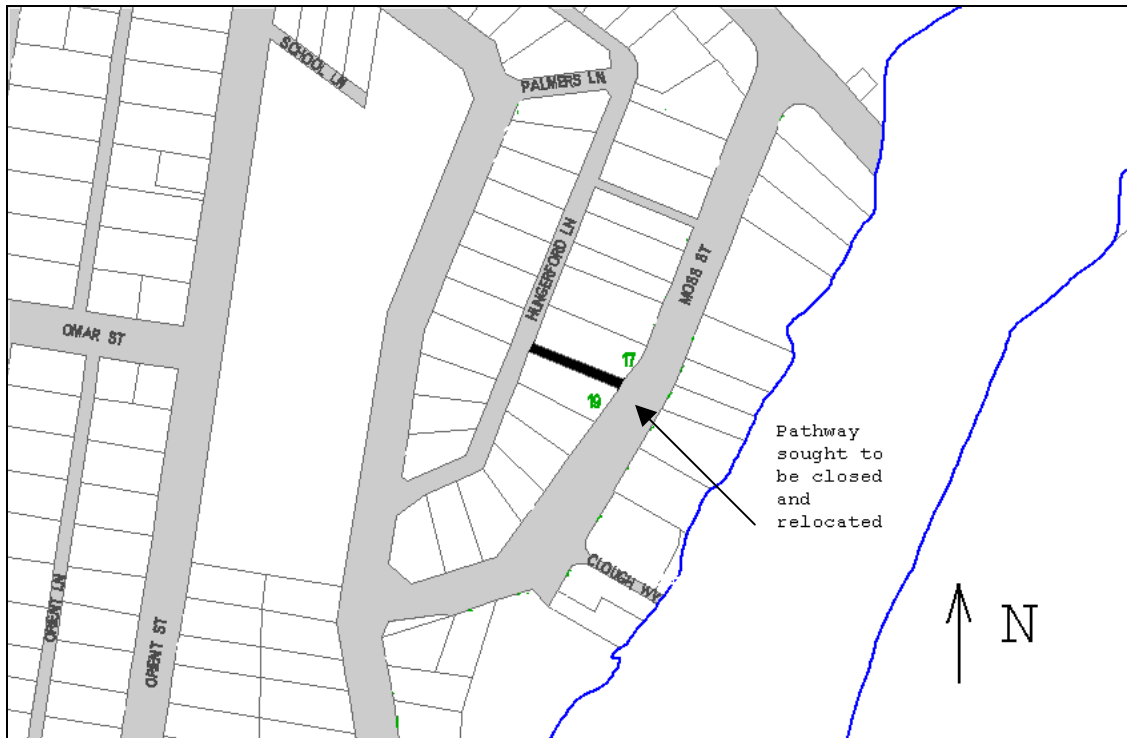
**SUMMARY OF REPORT:**

An application to close and purchase a pathway dedicated in DP 21680, registered in 1949, was made by the owner of the parcels flanking each side of the pathway. The pathway is not formed, however, it provides access from Hungerford Lane to Moss Street. The pathway meets Moss Street on a bank that falls steeply and requires steps to provide any physical access.

When the initial application was made, Council sought submissions from landowners that would supposedly use the pathway to access Moss Street should steps ever be formed and on this basis, there was strong community objection to the closure. On this basis, Council advised that it would not approve the closure of the pathway, but would consider the relocation of the pathway either to the north boundary of Lot 14 (number 17) or to the southern boundary of Lot 15 (number 19) should the owners of the neighbouring parcels agree to the location of the pathway to their boundaries. Council requested that the applicant seek such consent and forward same to Council, no consents from the applicant were ever received.

A subsequent development application was made by the original applicant for a multiple dwelling development over Lots 14 and 15 incorporating the relocation of the pathway, construction of the pathway and utilisation of the pathway as vehicular access to the development.

The plan below shows the location of the subject pathway and adjacent parcels:



**RECOMMENDATION:**

That:-

1. Council approves the compulsory acquisition of pathway created in DP 21680 and the acquisition of proposed Lot 2 for road purposes under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act, 1993 and the making of the necessary application to the Minister and/or Governor;
2. Lot 2 be dedicated as road following gazettal of the acquisition;
3. Lot 1 be consolidated with Lot 15 DP 21680, and
4. All necessary documentation be executed under the Common Seal of Council.
5. All costs are to be borne by the owner of Lot 14 DP 17606 and Lot 15 DP 21680.



**REPORT:**

An application to close and purchase a pathway dedicated in DP 21680, registered in 1949, was made by the owner of the parcels flanking each side of the pathway. The pathway is not formed, however, it provides access from Hungerford Lane to Moss Street. The pathway meets Moss Street on a bank that falls steeply and requires steps to provide any physical access.

When the initial application was made, Council sought submissions from landowners that would supposedly use the pathway to access Moss Street should steps ever be formed and on this basis, there was strong community objection to the closure. On this basis, Council advised that it would not approve the closure of the pathway, but would consider the relocation of the pathway either to the north boundary of Lot 14 DP17606 (number 17) or to the southern boundary of Lot 15 DP 21680 (number 19) should the owners of the neighbouring parcels agree to the location of the pathway to their boundaries. Council requested that the applicant seek such consent and forward same to Council, no consents from the applicant were ever received.

A subsequent development application was made by the original applicant for a integrated housing development over Lots 14 and 15 incorporating the relocation of the pathway and utilisation of the pathway as vehicular access to the development.

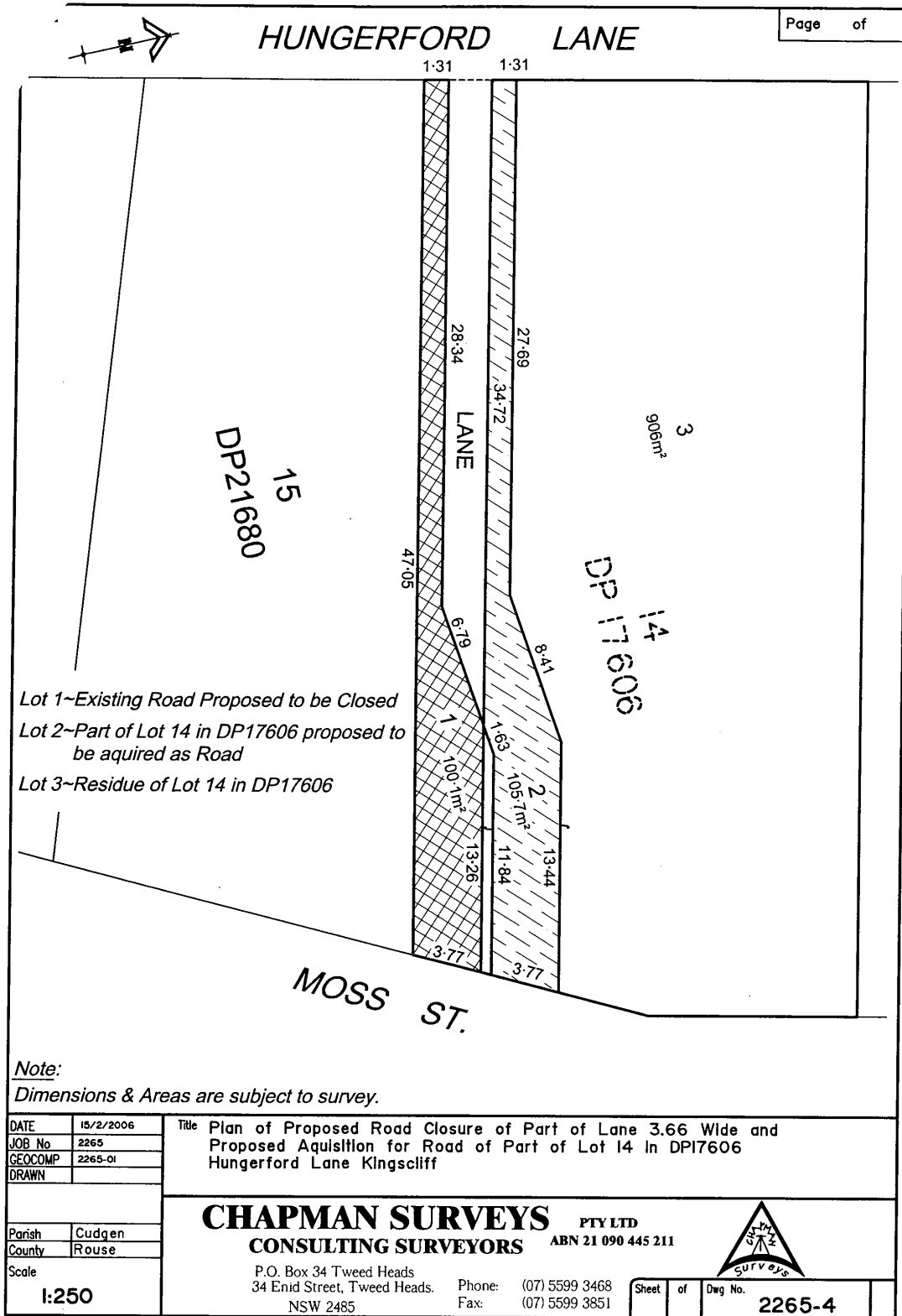
At its meeting of 7 February 2006 Council received a report recommending approval for the development with recommended conditions be used as a basis for a Consent Order in the Land & Environment Court.

The hearing in the Land & Environment Court resulted in the granting of approval in accordance with the Consent Orders negotiated between Council and the proponent. The consent orders have now issued from the Court.

The approval provides for a deferred commencement whereby prior to the consent becoming operative the proponent must comply with matters set out in Schedule A of the consent.

Schedule A refers to the 'boundary adjustment' between the parcels and the pathway by way of a road closure by gazettal and dedication of pathway with a restriction as to user requiring the maintenance of the pathway to be the responsibility of the unit owners having the benefit of the driveway under the consent.

The plan below shows the current location of the pathway as Lot 1, including the area marked "Lane" and the proposed pathway/driveway as Lot 2, including the area marked "Lane". The ultimate pathway will have a kink approximately 12 metres from Moss Street.



The definition of a "road" in the Dictionary of the *Local Government Act, 1993* includes "pathway", therefore the closure of the pathway can be achieved in two ways:-

1. An application can be made by any person under section 34 of the *Roads Act, 1993*, which requires an application to be made to the roads authority, Council in this instance. Should the roads authority approve the road closure then an application is made to the Department of Lands on behalf of the applicant, as the Department of Lands only deal with the roads authority for such applications.

The Department processes the application and advertises the proposed road closure with a 28 day submission period within which any objections are to be lodged and adjacent landowners are advised of the proposal. Should no valid objections arise, then the Department requests a plan of road closure to be prepared and registered. Upon registration of the plan, the Department publishes a notice effecting the road closure. This process can take up to 2 years.

2. The alternate process of road closure and dedication is the process generally utilised by Council following road works where land is acquired for road purposes and parts of the road reserve are acquired for the purposes of compensation. Section 41 of the *Roads Act* provides that:-

*"a public road that is compulsorily acquired.....ceases to be a public road as a consequence of its compulsory acquisition"*

In this process a plan of acquisition is prepared and registered whereby the parcels to be acquired have been created and then an application to the Department of Local Government is made seeking the approval of the Governor to the acquisition of those parcels. It would be necessary to show that such an acquisition, on the face of it benefiting the developer, would have some public benefit. Such applications generally take between 6 and 9 months to complete.

During discussions relating directly to the closure of the pathway with the proponent, it was mentioned that there may be the possibility that the compulsory acquisition of part of the pathway and part of his adjacent land by Council on his behalf may be available to him should Council approve to do so, and should the acquisition be subsequently approved by the Governor.

The proponent has provided a written request to Council to pursue the compulsory acquisition on his behalf, noting that he is conditioned in the development consent to construct a pathway/driveway with sufficient drainage and stairs and railings at Moss Street with appropriate signage stating "Public Walkway to Moss Street". The proponent has advised he will cover all costs relating to the acquisition.

Such an acquisition would give effect to the boundary adjustment required by the consent and enable it to become operative.

In light of the public benefit that would result in the construction of the pathway and the potential delay of provision of that benefit should the proponent pursue the road closure pursuant to section 34, it is recommended that it be resolved to approve the compulsory acquisition of the pathway on behalf of the proponent, at his cost.

Should Council decide to approve the compulsory acquisition of the land on behalf of the proponent, an application will be made to the Minister to seek the Governor's approval to the acquisition following registration of the plan of acquisition.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**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).*

Nil.

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**O12 [EO-OC] EC2006-051 Supply and Delivery of Tyres & Tubes, Recapping, Relugging & Retreading of Tyres and Repairs of Tyres & Tubes**

**ORIGIN:**

**Works**

**FILE NO: EC2006-051**

**SUMMARY OF REPORT:**

Tenders closing Wednesday 3 May 2006 were invited for the supply and delivery of tyres & tubes, recapping, relugging & retreading of tyres and repairs of tyres & tubes for a period of two (2) years.

After an analysis of the submissions the assessment group unanimously agreed that it would be prudent management for Council to enact Clause 16 of the Conditions of Tendering, [*The Council shall not be bound to accept the lowest or any tender, nor will the Council be responsible for, expenses or losses which may be incurred by any tenderer in the preparation of his tender*] and Clause 17 of the Tendering Conditions, [*Any Tender which does not comply in every respect with the requirements of the Tender Document, may be rejected*] and not to accept any tender.

**RECOMMENDATION:**

**That:-**

- 1. Due to the non-conformity and considered unsuitability of prices submitted to tender EC2006-051 that no action be taken on the determination of this tender.**
- 2. The contract for the Supply of Tyres and Tubes, Recapping, Relugging and Retreading of Tyres and Repairs of tyres and Tubes be revised and readvertised.**

**REPORT:**

Tenders for EC2006-051, closing Wednesday 3 May 2006, were invited for the supply and delivery of tyres & tubes, recapping, relugging & retreading of tyres and repairs of tyres & tubes. The tenderers are listed below: -

**Tenderers:**

Millard Tyre Centre Mayfield Street Murwillumbah  
Beaupaires Tyre Service Prospero Street Murwillumbah

Tenders are analysed in a separate confidential attachment.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Funds have been voted in the current 2005/2006 budget.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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1. **Supplementary Confidential Attachment** EC2006-051 Supply and Delivery of Tyres & Tubes, Recapping, Relugging & Retreading of Tyres and Repairs of Tyres & Tubes. (DW 1416808).
-

**O13 [EO-OC] EC2006-052 Supply of Lubricating Oils**

**ORIGIN:**

**Works**

**FILE NO: EC2006-052**

**SUMMARY OF REPORT:**

Tenders closing Wednesday 3 May 2006 were invited for the supply of lubricating Oils.

As the previous tender is expiring this is a tender to replaces the existing tender.

After a due diligence analysis of the submissions the assessment group unanimously agreed that it would be prudent management for Council to enact Clause 16 of the Conditions of Tendering, [*The Council shall not be bound to accept the lowest or any tender, nor will the Council be responsible for, expenses or losses which may be incurred by any tenderer in the preparation of the tender*] and Clause 17 of the Tendering Conditions, [*Any Tender which does not comply in every respect with the requirements of the Tender Document, may be rejected*] and not to accept any tender and reoffer the tender.

**RECOMMENDATION:**

**That:-**

- 1. Due to the non-conformity and considered unsuitability of prices submitted to tender EC2006-052 that no action be taken on the determination of this tender.**
- 2. The contract for the Supply of Lubricating Oils be revised and re-advertised.**

**REPORT:**

Tender EC2006-052, closing Wednesday 3 May 2006, were invited for the supply of Lubricating Oils. The tenderers are listed below: -

**Tenderers:**

Valvoline (Australia) Durbell Street Acacia Ridge QLD  
Gough & Gilmour Holdings Pty Ltd Pacific Highway South Grafton NSW 2461  
Reliance Petroleum 701 Kingsford Smith Drive Hamilton  
Reliance Petroleum 701 Kingsford Smith Drive Hamilton  
Reliance Petroleum 701 Kingsford Smith Drive Hamilton

Tenders are analysed in a separate confidential attachment to this report.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Funds have been voted in the current 2005/2006 budget.

**POLICY IMPLICATIONS:**

Nil.

**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).*

1. Supplementary Confidential Attachment EC2006-052 - Supply of Lubricating Oils (DW 1416541).
-



**O14 [EO-OC] EC2003-067 Supply of Bulk Fuels: Contract Extension**

**ORIGIN:**

**Contracts**

**FILE NO: EC2003-067**

**SUMMARY OF REPORT:**

The current tender for the supply of bulk fuel to Council's Depots and Mobile Caravans and Tankers (EC2003-067) expires on the 30 June 2006.

Renewal of the fuel supply contract under EC2006-053 has been advertised and closed however evaluation of the pricing structure to apply to the new contract has been difficult to determine and will require more time to further assess the pricing structures submitted and investigate possible alternate contract supply options.

**RECOMMENDATION:**

**That:-**

- 1. Contract EC2003-067 for the Supply of Bulk Fuels to Council's Depots and Mobile Caravans and Tankers be extended for a further three (3) month period.**
- 2. The Acting Director Engineering & Operations be authorised to extend the period for up to 3 months.**

**REPORT:**

As per Summary of Report.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**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).*

1. Supplementary Confidential Information for EC2003-067 Supply of Bulk Fuels - Contract Extension (DW 1414456).
-

**O15 [EO-OC] Burringbar Mooball Sewerage Scheme**

**ORIGIN:**

**Design**

**FILE NO: GS6/9 Bbar Pt 2**

**SUMMARY OF REPORT:**

In recognition of the impact on public health of the inadequate on-site sewage systems in the Villages of Burringbar and Mooball, Council in 1995 commenced the process that would lead to the provision of a centralised sewerage collection, conveyancing and treatment system. The Burringbar Mooball Sewerage Scheme was one of 132 unsewered villages in the NSW Government's Country Towns Water Supply and Sewerage Program. In 1997 Council received subsidy for the investigation phase of the Scheme from the NSW Government.

In July 2003 Council commenced rating a special levy on the properties within the 2 villages on the basis that 70% of the scheme was to be funded from the NSW State Government. In 2004 the NSW Government made significant modifications to the funding arrangements and eligibility for projects under the Country Towns Water Supply & Sewerage Program. In February 2005 Council was advised by the Director General of DEUS that the Scheme was ranked below the level which attracted funding from the CTWS & S Program.

Following various requests and submissions from Council a recent advice has been received from the Minister for Utilities and the Department that the Burringbar - Mooball Sewerage Scheme will not receive funding under the Country Towns Water Supply and Sewerage Program. This has put the future of the Scheme in doubt.

**RECOMMENDATION:**

**That Council:-**

- 1. Advises the residents of the current status of this Scheme.**
- 2. Continues to pursue funding in 2006/2007.**
- 3. Considers the options presented in this report for the future of the Scheme.**
- 4. Reviews in detail the available options and makes a decision for the future of the Scheme before the 2007/2008 rate notices are issued.**

## REPORT:

### Background

Since 1995 concerns have been voiced that the present wastewater management systems in the villages of Uki, Burringbar and Mooball may pose health threats to the residents and contribute to the pollution of the adjacent waterways. At present the villages of Burringbar and Mooball generally rely on conventional on-site methods for the treatment and disposal of domestic wastewater. The existing on-site systems are operating unsatisfactorily due to the small block size and clay soils. A Water Quality Survey conducted by Council's Environment and Health Services Unit in November 1995 on the issues of public health and catchment management created by the on-site wastewater disposal in the villages validated these concerns.

In response to these concerns Council at its meeting of 18 December 1996 resolved to adopt the priority of providing a sewerage system to Uki village initially with Burringbar and Mooball villages to follow. The Uki Scheme was provided a higher priority as it is upstream of Council's water supply catchment.

Following the receipt (in April 1997) of concurrent financial assistance offers (grants under the NSW Government Country Towns Water Supply & Sewerage Program) for the investigation stage of the project for Burringbar and Uki schemes, Council resolved that the investigation works proceed concurrently including a preliminary investigation report, review of environmental factors, community consultation, geotechnical investigations and effluent reuse study. The Uki village Sewerage Scheme was commissioned in 2002.

To assist with project implementation and establish the community consultation process, Council in 1998 invited nominations through the Tweed Link from the Burringbar and Mooball community to be part of the Burringbar - Mooball Sewerage Community Reference Group. In October 1998 the first Reference Group meeting was held.

As part of the investigation stage of the project, the Department of Public Works and Services was commissioned to investigate the options for the improvement of the existing sewage disposal problems in the villages.

In July 2002 a Revised Options Report was completed. In August 2002 the Community Reference Group accepted the report and resolved to proceed with community consultation. The community consultation commenced on 5 November 2002. The Draft Revised Options Report was exhibited in the village over a three week period and was well accepted by the community at the time.

At its meeting of 18 December 2002 Council resolved to:-

1. Adopt the Draft Revised Options Report as a Final Options Report.
2. Proceed with the Environmental Study for the preferred option.
3. Commence levying a special rate on Burringbar and Mooball villages starting in 2003/2004.

4. Adopt a fixed term (10 years) levy of \$350.00 per tenement added to the sewer rate for those properties covered by the scheme.

The decision to proceed with the Scheme implementation was made based on a 70% government subsidy with the balance of 30% being shared equally between Council and the local community. At the time the Scheme estimate was \$3.4 million. On the 18 December 2002 Council also resolved to proceed with the purchase of land for the sewage treatment site at a cost of \$55,000.

In August 2003 HLA Environmental Consultants were engaged to prepare a Review of Environmental Factors for the Scheme and Effluent Reuse Options Study. In January 2005 the Review of Environmental Factors was finalised.

Following changes in the provision of government subsidy, the release of the Tweed Futures Report, and Integrated Catchment Management Initiatives, Council in 2004 resolved to review the Options Report for the Burringbar - Mooball Sewerage Scheme, prepared by the Department of Public Works & Services in 2002. In December 2004 GHD Consultants were engaged to undertake a Peer Review, which included a Burringbar - Mooball planning scoping study to determine the anticipated development and population of the surrounding areas. The reports were completed in November 2005 and confirmed the preference of the centralised sewerage option detailed in the 2002 Department of Public Works report. An alternative was provided at an additional cost for the installation of more sophisticated on-site sewage treatment systems (wet composting) combined with a common collection and treatment system for excess effluent. This option also has the advantage that effluent would be reused for irrigation on individual properties as a substitute for potable water.

Approximately \$250,000 has been spent to date on the project. The majority of the Burringbar - Mooball community are supportive of sewerage with the exception of a small vocal group opposing the location of the proposed Sewage Treatment Plant site.

## **Funding**

### **Country Towns Water Supply and Sewerage Program**

In April 1997 Council received subsidy for the investigation phase of the Scheme from the NSW Government under the Country Towns Water Supply and Sewerage Program. In 2004 the NSW Government made significant modifications to the funding arrangements and eligibility for projects under the Country Towns Water Supply & Sewerage Program.

In February 2005 Council was advised by the Director General of DEUS that the Scheme was ranked below the level which attracted funding from the CTWS & S Program. Council at its meeting on 6 April 2005 resolved to write to the Minister for Energy Utilities and Sustainability requesting the government reconsider this scheme for funding due to the advanced stage of the project. A response was received which indicated the Scheme could not be funded.

Again at its meeting on 7 September 2005 Council considered a detailed report relating to the above Program, particularly referencing the strategy paper prepared jointly by the LGSA and NSW Water Directorate seeking the reinstatement of the funding.

Advice was received from the Minister for Water Utilities, Mr David Campbell, in a letter dated 19 June 2006 that provided no avenue for the project to be funded under the CTWS & S Program (DataWorks 1414170):-

SEWERAGE TREATMENT - B'BAR SEWERAGE TREATMENT - B'BAR - AUG STAGE  
COURT GRANTS - SEWERAGE



**David Campbell**  
Minister for Water Utilities  
Minister for Small Business  
Minister for Regional Development  
Minister for the Illawarra

TWEED SHIRE COUNCIL  
FILE No. COURT GRANTS - WATER  
Doc No.  
REC'D 22 JUN 2006  
ASSIGNED TO OXENHAM, D  
HARD COPY  IMAGE

DEUS Ref 05/2585, 06/79

Mr Mike Rayner  
Acting General Manager  
Tweed Shire Council  
PO Box 616  
MURWULIMBAH NSW 2484

19 JUN 2006

LINK TO 1373750

Dear Mr Rayner

I refer to Tweed Shire Council's letters regarding funding levels for the proposed Burringbar-Mooball Sewerage scheme.

In April 2005, Council was advised that the previous funding levels applicable to Small Town Sewerage schemes no longer applied because Tweed Shire Council was classified as a large water utility. The Department of Energy, Utilities and Sustainability had assessed that there would be a relatively small impact on residential rates if the project was funded by Council on a shire wide rating basis.

I have been advised that Council applied for re-ranking by the Inter-Agency Prioritisation Committee. The Committee is currently considering submissions and Council will be advised of the Committee's re-assessment once it is available.

Regarding Council's concern that a number of other Councils have had previous subsidy levels reinstated, I have been advised that each of those particular councils have turnover less than the new \$10 million per annum limit and the reduced subsidy would have increased the residential rates to over \$550 per annum.

Please contact Gary Marshall, Regional Manager North in the Department of Energy, Utilities and Sustainability on [02] 6653-0105, if you wish to discuss this matter further.

Thank you for bringing this matter to my attention.

Yours sincerely

**David Campbell**  
Minister for Water Utilities  
Minister for Small Business  
Minister for Regional Development  
Minister for the Illawarra

All correspondence to  
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1 Farrer Place, Sydney NSW  
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The current estimate for the project is \$4.7 million. Under the previous NSW Government funding arrangements there was an expectation that the Scheme would receive 70% funding for the Burringbar component and 50% funding for the Mooball

component from the CTWS&S. This equates to a shortfall in funding of approximately \$3.1 million.

### **Project Priority Within Tweed Shire**

There are a number of identified localities within the shire with failing on-site sewage systems that have the potential to or are impacting on public health and water quality. Council over the last 20 years have addressed in partnership with the community and NSW Government these issues in the Villages of Tyalgum, Tumbulgum and Uki.

The Manager Environment and Health has provided a summary of the catchment priorities tabled below:-

### **Internal Memo Dated 27 June 2006:**

"Further to the Manager of Environment and Health Services memo of the 23 May 2006 the following comments are provided below. Please note that the Environment and Health Services Unit list the villages of concern in order of priority in consideration of issues of public health and environmental impact.

#### **1. Mooball/Burringbar**

The Unit has previously undertaken a survey of these Villages. The Unit continues to strongly support the provision of sewerage infrastructure. Limited capacity to dispose of treated wastewaters on-site due to small lot size is considered a major factor even where quality of treatment is improved. Also currently effluent is discharged into Burringbar Creek which presents possible ongoing health implications.

#### **2. Kiel Vale**

As part assessment for a current development application lodged with Council recent preliminary site inspections of approximately 40% of the dwellings within the village of Kiel Vale was undertaken. The inspections revealed that almost all on-site sewage management systems were either failing or discharging directly to the rear of the properties onto an adjoining property, with or without primary treatment of wastewaters. The on-site limitations noted in the previous memo re Mooball/Burringbar are also reflected at Kiel Vale. As outlined, in consideration of the maximum loading capacity of each dwelling, most land parcels would have limited capacity to dispose of treated effluent on-site. Improving capacity would include each dwelling having to undertake extensive land reforming/landscaping and improving the quality of domestic wastewaters treated. These requirements would impose high financial costs to each residence and reduce availability of outdoor recreational areas.

#### **3. Chillingham**

Located adjoining the Rous River, land parcels within the Village are small and many are also flood-prone. On-site sewage management limitations also reflect those listed previously. On-site sewage management problems are on-going in the Village.

#### **4. Parkes Lane**

It is considered that the sewage management issues of Parkes Lane may be rectified with the future development of the local area."



## Internal Memo Dated 23 May 2006:

The townships of Mooball & Burringbah are a high priority for installation of a reticulated sewage system or a decentralised system of sewage management. These townships are considered to have no other option for the treatment and disposal of household effluent. The main factors determining this high level of priority are,

- Size of dwelling allotments (less than 1000 square metres of land area)
- Concentration of dwellings in the area due to small allotment sizes
- Soils that are considered unsuitable for long term effluent application i.e. medium to heavy clays, (low permeability soils  $K_{sat}$  0.06 – 0.5 m/d, dispersive soils low Sodium Adsorption ratios (SAR) that cause soils to disperse and reduce the long term acceptance ratio (LTAR) and soils classified as category 6 in AS1547/200.
- Age and design of existing systems (undersized primary tanks and land application areas), i.e. 2000 L tank with 12M absorption trench).
- Proximity to sensitive receiving environments (drainage lines and creeks).

While it is accepted that the townships of Stokers Siding and Bilambil Village may have similar on-site sewage limitations, the concentration of dwellings in these townships is not as great as Mooball / Burringbah and therefore not considered as high a risk with regard to Human Health and Environmental contamination issues.

The Parkes Lane / Market Parade locality in Terranora which has also been identified as having limitations for on-site sewage effluent application, is not considered to be as high a risk as Mooball / Burringbah. While the 2000 m<sup>2</sup> allotments are considered undersized for on-site sewage management systems (refer AS 1547/200) dwellings in the Parkes Lane / Market Parade locality do have limited options for on-site sewage management system improvement.



Geoff Edwards  
Manager Environment and Health

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## Options

Four draft options are documented below for consideration in this report:-

1. Fund the shortfall in the Scheme, currently estimated at \$3.1 million from benefiting land owner contributions (approximately \$23,000 per lot). This would be difficult to implement and gain acceptance from the Burringbar and Mooball communities based on the previously accepted funding arrangements which required each lot to contribute \$350 per year for 10 years.
2. Abandon the existing Scheme and refund all or unspent contributions, with or without interest.

This would require major modification to the on-site sewage systems which in the majority of cases, if completed, would still not comply with Council's requirements in relation to the treatment and disposal of sewage. As advised by the Manager Environment & Health the lot size and soil type severely impact on the performance of an on-site sewage treatment and disposal system.

3. Proceed with implementation of the Scheme and fund the shortfall from the Sewer Fund. The Tweed community connected to Council's sewerage system will therefore subsidise the Scheme.

As advised in previous reports to Council the Sewer Fund is expected to require loans in the order of \$18 million to meet commitments other than the Burringbar Mooball Sewerage Scheme in the next 6 years.

4. Proceed with implementation of the Scheme with funding sourced from the Federal Government's Water Fund and Council's Sewer Fund.

An application has been submitted and advice expected late 2006 to early 2007 on the successful projects. The Water Smart Australia Program is a \$2 billion Australian Government Water Fund initiative designed to invest in water infrastructure and improved water management.

Because the Fund is intended to encourage innovation in water management the Burringbar - Mooball Scheme is potentially relevant as the proposed alternative option for this Scheme identified in the Peer Review sufficiently embraces integrated water management initiative and is perceived as an innovative scheme that improves water efficiency and environmental outcomes. The estimate for this alternative is currently \$6 million.

A submission requesting 50% funding for the Burringbar - Mooball Sewerage Scheme has been lodged with Water Smart Australia. If this application is successful Council would be required to fund \$3 million of the project cost.

**CONCLUSION:**

The above options 1 to 3 require additional investigation and discussion and may not be required if alternative funding is sourced such as a change to the NSW Government Country Towns Water Supply & Sewerage Program or the Australian Government Water Fund. It is proposed to provide a detailed review for options 1 to 3 once all avenues for alternative funding are exhausted.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

As per Report.

**POLICY IMPLICATIONS:**

Nil.

**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).*

Nil.

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**O16 [EC-OC] Three Year Funding for Major Festivals**

**ORIGIN:**

**Environment & Health**

**SUMMARY OF REPORT:**

Council at its meeting held Wednesday 13 June 2006 resolved:

*"that this item be deferred to the next meeting for further clarification"*

While it is proposed to offer to a small number of major festivals within the Tweed the possibility of allocating three year funding support from Council to allow certainty for festival forward planning, this proposal if approved will not impact on Council's annual support for the smaller festivals and events.

**RECOMMENDATION:**

**That Council endorses the proposal to provide three year funding towards major festivals subject to the criteria set out in this report.**

**REPORT:**

Council at its meeting held Wednesday 13 June 2006 resolved:

*"that this item be deferred to the next meeting for further clarification"*

The report as reproduced below proposes three year funding be provided to a small number of major festivals to allow these festivals to plan in advance with some funding certainty. This allocation will be independent from the current allocation which is provided for the support of small festivals and events. Council's 2005/06 budget for festivals and events is \$35,000 while the 2006/07 budget funding is \$56,750, which includes funds should the funding for the major events be approved.

**Previous Report:**

*Tweed Shire Council, through the Festival & Events Strategic Plan, is developing its support and assistance of the many festivals and events held annually around the Shire. As well as some festival funding there is assistance offered in areas of professional development such as market research, risk management training and business planning. Future opportunities for festival and event organising committee include professional training in event planning and operations, and participation in the growing cooperation and resource sharing across the region.*

*For major festivals in the Tweed that are attracting audiences of between 20,000 and 60,000 people, there are many new challenges in planning for future growth and sustainability, the introduction of multiyear funding to major festivals will assist them in their business planning and management. Small festivals and events will continue to be supported through the Council's festival funding. The Tweed is fortunate to have a community active in a broad range of festivals and events and Council recognises the importance of these activities to the quality of life and local economy.*

*This has been raised by festival organisers at meetings discussing the Festival & Events Strategic Plan with the Festival and Events Liaison Officer.*

*Wintersun Festival proposed this three year funding in a discussion with EMT at the end of 2005.*

*Main reason for the change is to allow the major festivals to plan in advance with three years of funding certainty and support from Council.*

*A business necessity for planning future festivals programs and marketing, particularly where national or international tourism is a major component.*

*There is pressure on the current level of festival funding with new festivals developing and other festivals growing strongly.*

*With this new separate funding, the Council's annual festival funding can stretch to cover more events, not competing with these few major festivals.*

### **Criteria for 3 Year Funding**

#### Funding Guidelines (adapted from the current Festivals policy document)

- Only one application for three year funding per festival organisation or community group will be considered.
- Programs will not be funded retrospectively.
- Festivals must be held annually and the first of these commence within 12 months of funding.

#### Criteria for 3 Year Funding (new)

- The Festival has been successfully established in the community for more than five years.
- The Festival has an annual financial turnover of more than \$100,000.
- The Festival can demonstrate a significant tourism component and economic benefit to the Tweed Shire.
- Applications will be reviewed by the Festival and Events Committee (Cultural Advisory Committee) and recommendations made to Council.

### **Reporting**

#### Reporting Requirements Each Year

- An Annual Report outlining in detail the activities undertaken by the festival.
- Annual Audited Accounts showing in detail the financial position within three (3) months of completion of the festival.
- A Review of the Business Plan outlining achievements, adjustments and any future developments.
- A Statement relating the Council's funding to the social and economic benefits of the festival to the Tweed Shire.
- Funding for Year 2 and Year 3 of the agreement will be forwarded once the Reporting Requirements have been received.

## ***Funding***

### **Funding Agreement**

- *A funding agreement signed between Council and the festival organisation will be required to cover the three years.*
- *This will outline the responsibilities of each party to the agreement.*

### **Funding Allocation**

- *Maximum funding per individual festival is \$10,000 per annum for three years,*
- *a total of \$30,000.*
- *This is reflected in the Council's budget planning, starting with one festival and then possibly adding a festival each year.*
- *It is anticipated that no more than two or three major festivals will ever be funded concurrently.*

It is proposed to offer to the major festivals within the Tweed the possibility of allowing three year funding support from Council to allow certainty for festival forward planning.

This proposal includes a strict funding criteria which would limit the eligible festivals to a small number of festivals.

It is advised that Council's present Budget allocation towards festival funding is \$56,750 (an increase from \$35,000 in the previous year). An allocation of \$10,000 to be allocated to Wintersun for three years (if they meet the criteria) and the remainder distributed according to the Festivals Policy.

## **Background**

Tweed Shire Council, through the Festival & Events Strategic Plan, is developing its support and assistance of the many festivals and events held annually around the Shire. As well as some festival funding there is assistance offered in areas of professional development such as market research, risk management training and business planning. Future opportunities for festival and event organising committee include professional training in event planning and operations, and participation in the growing cooperation and resource sharing across the region.

For major festivals in the Tweed that are attracting audiences of between 20,000 and 60,000 people, there are many new challenges in planning for future growth and sustainability, the introduction of multiyear funding to major festivals will assist them in their business planning and management. Small festivals and events will continue to be supported through the Council's festival funding. The Tweed is fortunate to have a community active in a broad range of festivals and events and Council recognises the importance of these activities to the quality of life and local economy.



This has been raised by festival organisers at meetings discussing the Festival & Events Strategic Plan with the Festival and Events Liaison Officer.

Wintersun Festival proposed this three year funding in a discussion with EMT at the end of 2005.

Main reason for the change is to allow the major festivals to plan in advance with three years of funding certainty and support from Council.

A business necessity for planning future festivals programs and marketing, particularly where national or international tourism is a major component.

There is pressure on the current level of festival funding with new festivals developing and other festivals growing strongly.

With this new separate funding, the Council's annual festival funding can stretch to cover more events, not competing with these few major festivals.

### **Criteria for 3 Year Funding**

#### Funding Guidelines (adapted from the current Festivals policy document)

- Only one application for three year funding per festival organisation or community group will be considered.
- Programs will not be funded retrospectively.
- Festivals must be held annually and the first of these commence within 12 months of funding.

#### Criteria for 3 Year Funding (new)

- The Festival has been successfully established in the community for more than five years.
- The Festival has an annual financial turnover of more than \$100,000.
- The Festival can demonstrate a significant tourism component and economic benefit to the Tweed Shire.
- Applications will be reviewed by the Festival and Events Committee (Cultural Advisory Committee) and recommendations made to Council.

## **Reporting**

### Reporting Requirements Each Year

- An Annual Report outlining in detail the activities undertaken by the festival.
- Annual Audited Accounts showing in detail the financial position within three (3) months of completion of the festival.
- A Review of the Business Plan outlining achievements, adjustments and any future developments.
- A Statement relating the Council's funding to the social and economic benefits of the festival to the Tweed Shire.
- Funding for Year 2 and Year 3 of the agreement will be forwarded once the Reporting Requirements have been received.

## **Funding**

### Funding Agreement

- A funding agreement signed between Council and the festival organisation will be required to cover the three years.
- This will outline the responsibilities of each party to the agreement.

### Funding Allocation

- Maximum funding per individual festival is \$10,000 per annum for three years,
- a total of \$30,000.
- This is reflected in the Council's budget planning, starting with one festival and then possibly adding a festival each year.
- It is anticipated that no more than two or three major festivals will ever be funded concurrently.

## **LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Festival Policy

**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).*

Nil.

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**O17 [EC-OC] 2006/2007 DADHC - Grant Funding Agreement**

**ORIGIN:**

**Environment & Health Services**

**SUMMARY OF REPORT:**

A letter has been received from the Department of Ageing Disability and Home Care (DADHC) notifying Council that funding for Tweed Shire Council's Community Options and Community Worker (Aged & Disability) can be renewed for a further 12 months (1 July 2006 to 30 June 2007). Funding is for \$444,920 in total and dependent on the return of signed Agreement.

**RECOMMENDATION:**

**That Council:-**

- 1. Accepts the funding of \$444,920 and signs the necessary documentation under seal.**
- 2. Votes to expend the funds according to the Contract.**

**REPORT:**

A letter has been received from the Department of Ageing Disability and Home Care (DADHC) notifying Council that funding for Tweed Shire Council's Community Options and Community Worker (Aged & Disability) can be renewed for a further 12 months (1 July 2006 to 30 June 2007). Funding is for \$444,920 in total and dependent on the return of signed Agreement.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**O18 [EC-OC] Estimated Cost for Beach Lifeguard Patrol**

**ORIGIN:**

**Environment & Health Services**

**SUMMARY OF REPORT:**

Council has requested a report on the cost for a single lifeguard patrol service which is difficult to estimate due to any number of variable factors; however under the assumptions in the body of this report it is estimated that the ongoing wages cost would be \$3,900 per week plus a one off equipment/uniform cost of \$1,500.

**RECOMMENDATION:**

**That this report be received and noted.**

**REPORT:**

Council has resolved that a report be prepared on the per unit cost for a single lifeguard patrol service. In preparing this costing the following assumptions have been made:-

1. The patrol is for a 7 day period.
2. The patrol consists of 2 lifeguards on duty.
3. Four (4) lifeguards are involved as 2 cannot work continuously.
4. Supervisor/Administration equals 20% wages.
5. For weekend work Council pays a penalty of 25% Saturday and 50% Sunday.

Wages Mon to Fri = \$19.63/hour x 38 hours x 2 = \$1,491.88 + On Costs 40%= \$2,088.63  
Wages Sat = \$19.63/hour x 15.2 = \$298.38 x 25% = \$372.98 + On Cost 40% = \$522.17  
Wages Sun = \$19.63/hour x 15.2 = \$298.38 x 50% = \$447.57 + On Cost 40% = \$626.60  
**Total** **\$3,237.40**

Supervisor/Administrator 20% \$647.48

**Ongoing Weekly cost** **\$3,884.88**

As well there would be a one off allowance for uniform and equipment per yearly patrol of \$1,500.00

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**O19 [EC-OC] Tweed Heads Town Centre Civic Precinct Committee**

**ORIGIN:**

**Director Environment & Community Services**

**FILE NO: GT1/LEP/2000/64 Pt1**

**SUMMARY OF REPORT:**

A planning exercise is being undertaken to review uses and traffic management at the Civic Precinct at Tweed Heads.

**RECOMMENDATION:**

**That Council :-**

- 1. Votes \$10,000 towards the engagement of a consultant to carry out a planning exercise in the Tweed Heads Town Centre Civic Precinct.**
- 2. Funds be voted from the funds received in 2005/2006 as part of the proceeds from the sale of the existing Southern Cross University site.**

**REPORT:**

A planning exercise is being undertaken to review uses and traffic management at the Civic Precinct at Tweed Heads.

The following letter has been received from the Department of State and Regional Development:



TWEED HEADS TOWN CENTRE CIVIC PRECINCT  
New South Wales  
Department of State and  
Regional Development  
T.H. MASTERPLAN

Ground Floor 145 Wharf Street  
PO Box 851  
Tweed Heads NSW 2485  
Telephone (07) 5599 3344  
Facsimile (07) 5599 3354  
www.business.nsw.gov.au

Michael Rayner,  
General Manager  
Tweed Shire Council  
PO Box 816  
Murwillumbah NSW 2484

TWEED SHIRE COUNCIL  
FILE No G71/487/2000/64 Pt 1  
Doc No  
REC'D - 7 JUN 2006  
ASSIGNED TO RAYNER, M  
HARD COPY  IMAGE

Dear Mike,

The recently formed Tweed Heads Town Centre Civic Precinct Committee comprising membership from key stakeholder organisations within the Civic Precinct; including Tweed Shire Council, has agreed to proceed with a masterplanning exercise as a matter of urgency.

The objective will be to holistically examine current and future land use planning and provide spatial analysis for the major activities within the Precinct to achieve current and future stakeholder requirements.

The strategic masterplanning outcomes will not be binding to any of the stakeholders; however the precinct plan should provide the basis for an integrated approach to a number of key planning and development issues within the precinct.

In order to expedite the process for the appointment of an appropriate consultant to commence the necessary planning assessment, your formal commitment to fund the study to the amount of \$10,000 would be appreciated.

The Civic Precinct Committee has expressed preference for the Department of State and Regional Development to act on behalf of the Committee to appoint the consultant and administer contract payments. The Department is willing to undertake this task; however the participation of the Northern Rivers Regional Development Board will be required to administer the financial aspects of the project. The Board's normal practice is to charge an administrative fee for this role, however any cost is expected to be nominal as the Department will undertake the primary project administration role. The NRRDB will consider their participation in the project at their Board meeting scheduled for 9<sup>th</sup> June 2006.

Your early response to this letter, indicating your willingness to participate and contribution of financial resources to the project would be highly appreciated.

Yours sincerely,  
  
Trevor Wilson  
Business Development Manager  
Tweed Heads  
5th June 2006

**NSW Offices**  
Albury • Armidale • Ballina • Broken Hill •  
Coffs Harbour • Dubbo • Gosford •  
Goulburn • Grafton • Newcastle •  
Orange • Parramatta • Port Macquarie •  
Sydney • Tamworth • Tweed Heads •  
Wagga Wagga • Wollongong  
**International Offices**  
London • Tokyo

Council's Administrators have been verbally advised and have agreed to support the planning process which Council needs to be involved in as a landholder in this precinct.

The General Manager and/or the Director Environment & Community Services will attend any briefing with the successful consultant.

It is therefore recommended that Council:-

1. Votes \$10,000 towards the engagement of a consultant to carry out a planning exercise in the Tweed Heads Town Centre Civic Precinct.
2. Funds be voted from the funds received in 2005/2006 as part of the proceeds from the sale of the existing Southern Cross University site.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Allocation of monies from the sale of the existing Southern Cross University site to fund the successful consultant for the Tweed Heads Town Centre Civic Precinct planning exercise.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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Nil.

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**O20 [EC-OC] Regional Council Initiative - 'Water & Energy Saving Kits Giveaway'**

**ORIGIN:**

**Environment & Health Services**

**SUMMARY OF REPORT:**

The NSW state government has established a mandatory carbon trading market known as the NSW Greenhouse Gas Abatement Scheme (GGAS). Under the scheme, NSW electricity retailers are required to meet mandatory targets for greenhouse gas reduction. To assist in achieving these mandatory targets, a Demand Side Abatement (DSA) program has been established under the GGAS. DSA has resulted in the creation of a number of GGAS accredited companies that give away 'climate change / energy and water saving kits' to NSW/ACT households in return for the Greenhouse Gas Abatement Certificates (GGAC) that these kits generate as part of DSA. These companies then sell the GGAC to energy retailers, who in turn use these certificates to help meet their mandatory greenhouse gas reduction targets.

In 2005, Tweed, Ballina, Byron, Lismore, Kyogle, Richmond Valley and Clarence Valley Councils formed the Northern Rivers Group on Energy (NRGe) to identify and implement regional energy efficiency initiatives that reduce greenhouse gas emissions.

Following on from the success of the free energy and water saving kits given away to Tweed Shire residents in November 2005, the NRGe is proposing a regional giveaway initiative of approximately 80,000 water and energy saving kits (approximately 20,000 kits for the Tweed Shire) utilising the services of Easy Being Green (EBG) Pty/Ltd.

EBG will meet the product costs and logistical costs of the giveaway while allowing NRGe member councils to receive public recognition for the initiative through branding of the giveaway's promotional materials.

All that EBG asks from NRGe member councils is guidance on the most effective advertising and distribution methods for their local community.

**RECOMMENDATION:**

**That Council endorse participation in the regional climate change / water and energy saving kits giveaway initiative.**

## REPORT:

The NSW state government has established a mandatory carbon trading market known as the NSW Greenhouse Gas Abatement Scheme (GGAS). Under the scheme, NSW electricity retailers are required to meet mandatory targets for reducing the emission of greenhouse gases from the production of electricity that they supply to the market. To assist in achieving these mandatory targets, a Demand Side Abatement (DSA) program has been established under the GGAS. DSA has resulted in the creation of a number of GGAS accredited companies that give away 'climate change / energy and water saving packs' to NSW/ACT households in return for the Greenhouse Gas Abatement Certificates (GGAC) that these products generate as part of DSA. These companies then sell the GGAC to energy retailers, who in turn use these certificates to help meet their mandatory greenhouse gas reduction targets.

The NSW GGAS has created a fantastic opportunity for local governments in NSW to foster sustainable water and energy consumption behaviours in their local communities at virtually no cost to council or ratepayers.

In November 2005 Tweed Shire Council was the first local government in NSW to take advantage of the DSA program of the NSW GGAS. Council utilised the services of NECO Pty/Ltd to give away 2,000 water and energy saving kits to the local community. Each kit consisted of 1 x AAA rated showerhead, 5 x compact fluorescent light (CFL) globes and a Green Power application form. In the average Tweed household, the installation of these three products is known to achieve the following:

- 48,800 litres of potable water saved each year.
- 48,8000 litre reduction in waste water each year.
- 10% reduction in daily energy use.
- 7 tonnes of greenhouse gases not emitted into the atmosphere.
- Up to \$150 saved in reduced water and energy bills.
- Householder satisfaction with the AAA rated showerheads, CFL globes and Green Power electricity.

The November 2005 giveaway was an overwhelming success, with Tweed Shire Council continuing to receive phone calls / emails / counter enquiries from people wanting to know if or when the giveaway will be held again.

The success of the initiative was communicated to other Northern Rivers councils via the Northern Rivers Group on Energy (NRGe), a greenhouse gas reduction action group that was formed as part of the Cities for Climate Protection Program. NRGe consists of representatives from Tweed, Ballina, Byron, Lismore, Kyogle, Richmond Valley and Clarence Valley Councils. Lismore, Byron and Ballina Councils followed Tweed Council's lead in early 2006, holding their own giveaways using NECO Pty/Ltd.

The success of the giveaways has prompted NRGe to propose a regional giveaway initiative of approximately 80,000 kits (approximately 20,000 kits for the Tweed Shire) utilising the services of Easy Being Green (EBG) Pty/Ltd.

EBG are a competitor of NECO Pty/Ltd and offer a significantly improved package when compared to NECO. While NECO required Tweed Shire Council to meet transport costs for the delivery of the kits, promotional costs and the labour costs of 4 staff members to run the two distribution points for one week, EBG will cover all transport costs for the kits to be delivered to each council area, staff to run the distribution stations, advertising costs, a range of distribution methods to maximise the uptake of the kits and the opportunity for participating councils to brand the giveaway under their own council names. In other words, EBG will meet the logistical costs of the giveaway while allowing councils to receive the significant amount of public recognition that the initiative will generate.

At this stage, all member councils of NRGe have expressed an interest in participating in a regional giveaway initiative utilising the services of EBG.

All that EBG is asking from NRGe councils is guidance on the most effective advertising and distribution methods for their local community and the supply of logo's for branding the giveaways as an initiative of NRGe member councils. Tweed Shire Council's (TSC) involvement can be managed by the Sustaining the Tweed Officer, who represents TSC on the NRGe and coordinated the NECO giveaway in November 2005.

EBG also encourages Councils to use the giveaway to promote or support their own environmental initiatives. This would be an excellent opportunity to promote the outcomes of the 'Tweed Shire Sustainable Households Project', a case study project that used 23 local households to quantify the water, energy and monetary savings that Green Power electricity, AAA rated showers and CFL globes achieve when used in tandem.

In addition to the supply and distribution of the free 'energy and water saving kits', for every kit given away, EBG will donate \$2 to local schools. The NRGe energy and water saving kit giveaway initiative would include the creation of a central fund for these donations to be deposited. These funds would then be distributed to each council area proportional to the number of kits distributed in that council area. Funds would be used to implement energy and water saving initiatives at local schools. Examples of projects that would be implemented include the supply and installation of rainwater tanks, AAA rated showers and CFL globes. Schools would be required to submit an application to their relevant council outlining their proposal (similar to the Federal Government's Community Water Grants). This process would also be coordinated by the Sustaining the Tweed Officer.

For more information on EBG, refer to Attachment 1.

**LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:**

Nil.

**POLICY IMPLICATIONS:**

Nil.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

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1. Easy Being Green (DW 1415657)
-



## SCHEDULE OF OUTSTANDING RESOLUTIONS

### FOR COUNCILLOR'S INFORMATION:

12 APRIL 2006

### ORDERS OF THE DAY

#### 1 [NOM] Tugun Bypass Project

#### 74 COUNCIL DECISION:

Administrator Boyd

Administrator Payne

**RESOLVED** that Council requests Ecograph to provide a report on the impacts on the existing native vegetation adjacent to the proposed C4 Tugun Bypass Project based upon the work done by Ecograph in the development of the Tweed Shire Vegetation Management Plan.

**Current Status:** Report being prepared.

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## ADMINISTRATOR'S MINUTE

### 1 [AM] Signing of Documents

#### Documents signed by Administrators

##### Administrator Boyd

8 June	Regional Mosquito Management Committee
22 June	Proposed Closure - Acquisition of Road - Lighthouse Parade, Fingal Head

#### RECOMMENDATION:

**That the information be received and noted.**

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## ORDINARY ITEMS FOR CONSIDERATION

### REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

#### 1 [SUB-TCC] Minutes of the Tweed Coastal Committee Meeting held Wednesday 14 June 2006

VENUE:

Canvas and Kettle Meeting Room, Murwillumbah

TIME:

Commencing at 1.00pm.

PRESENT:

Terry Kane (Cabarita Beach-Bogangar) (Chair); Max Boyd (Tweed Shire Council Administrator); Richard Hagley (Department of Natural Resources); Lance Tarvey (NSW National Parks and Wildlife Service); Evan Matthews (Fingal Head); Peter Harding (Pottsville); Gary Thorpe (Hastings Point); John Harbison (Mooball); Rhonda James (Caldera Environment Centre); Jane Lofthouse, Grahame Burton (Tweed Shire Council)

INFORMAL:

Nicole Strehling, NRCMA Catchment Officer (Coastal & Marine); Leigh Abernethy; Denise O'Brien; Sandy Pimm (Tweed Shire Council); Jan McCrohon (Minutes Secretary)

APOLOGIES:

Kersten Tuckey (Department of Lands); Pat Dwyer (Dept of Primary Industries – Fisheries); Jason Pearson (Kingscliff); David Oxenham; Tom Alletson, Geoff Edwards, Stewart Brawley, (Tweed Shire Council)

MINUTES OF PREVIOUS MEETING:

Moved: Peter Harding

Seconded: Evan Matthews

RESOLVED that the Minutes of the Tweed Coastal Committee Meeting held Wednesday 12 April 2006 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

BUSINESS ARISING:

Item from Meeting held 12 April 2006.

1. Correspondence in Items 1 & 2

NRCMA Coastal Projects Update – there are a number of projects near completion from the recent round of funding. These include erection of 2 Osprey nest poles (Pottsville and Tweed Heads); Weed removal in coastal vegetation (2 people working on weed eradication for six weeks, including bitou and glory lily); Coastal Vegetation Work Plan 2006-2011; 10 Litter Traps at Cabarita Beach (CBD area); Mooball Creek Rehabilitation. Total NRCMA funding was \$50,300.

---

Item from Meeting held 12 April 2006

2. Recreation Access Plan Cudgen Creek

Grahame Burton reported on the draft brief he has prepared and is ready to invite tenders. It was suggested that he should possibly target specific local companies and let them know of the call for tenders. The draft brief was tabled at the meeting.

---

Item from Meeting held 12 April 2006

3. Underboring Cudgera Creek

Peter Harding asked for current status, and Jane gave an update. Contractors have been engaged to complete the work of lowering the pipes and placement of blocks. Council is currently applying for Fisheries Permit. Peter expressed concern that the new bridge (new freeway access from Pottsville) over Cudgera Creek allowed increased flood flow, therefore possibly increasing sand movement in the lower estuary and uncovering the pipes.

---

CORRESPONDENCE IN:

1. Submission from Roger Graff on Erosion of Fingal Beaches

Beaches - Erosion

A resident of Fingal Head has submitted a letter to Council and others raising concern at the erosion of Fingal and Dreamtime Beaches as a result of the sand bypass project.

The letter was addressed to State and Local Government, wanting more monitoring of sand lost from the beach.

---

*Max Boyd rejoined the meeting at 1.06pm  
John Harbison joined the meeting at 1.06pm*

General concern at erosion of South Head Beach. This is acknowledged within TRESBP EIS which noted recession of this beach. TRESBP have routine monitoring.

Jane to reply to Roger Graff, noting it has been brought to the Committee's attention and that monitoring information should be requested directly from TRESBP.

---

2. Beach Vehicle Permit Access Review Outcome

Licences – Beach Vehicle

Council resolved at its meeting of 23 May 2006 to retain the current beaches accessible by beach vehicle permit holders.

Terry Kane said he'd received some complaints about erosion of the new southern beach access at Cabarita Beach and there was a need to reduce the board and chain by 10m. Jane to refer to Stewart Brawley.

---

3. Council Report - National Coast to Coast Conference 2006

Water Management - Conferences

Jane reported on her visit to Melbourne for the Coast to Coast Conference on 22 May. A detailed report is in the Business Paper and conference papers are available on the Victorian Coastal Council website.

---

CORRESPONDENCE OUT:

1. Submission to the Beach Vehicle Access Policy Review

Licences – Beach Vehicle

Submission made in accordance with discussion at last meeting.

---

2. Copies of Tweed Coast Estuaries Management Plan and Coastline Management Plan to Minister for Approval

Coastal Management, Estuary Management

These plans may be the first in NSW to be approved by the Minister under the new amendments to the *Coastal Protection Act 1979*.

AGENDA ITEMS:

1. Leigh Abernethy – Kingscliff Foreshore Master Plan, Pottsville Foreshore Master Plan (inc Ambrose Brown Park), Coastal Furniture Design  
Coastal Management

Leigh discussed the finalised draft Kingscliff Foreshore Master Plan and commencement of the Pottsville Foreshore Master Plan as well as the furniture design project.

- (a) Leigh tabled a copy of the Kingscliff Foreshore Master Plan which is also available on the internet. Draft comments close 14 June, to go to Council by 14 July. In the interim having another reference group meeting to discuss community issues. Work should commence on Faulks, Lions and Jack Bayliss Parks in the next 12 months.

*Gary Thorpe joined the meeting at 1.20pm.*

- (b) Leigh also tabled furniture design ranges, which took into account anti vandalism, ease of maintenance, and high longevity. Timber look (sawdust/resin composite), with steel, and concrete blocks. Contemporary but simple look, it will suit Jack Evans Boat Harbour as well as other places. The designers will also manufacture the furniture. The aim was to update the image of the Tweed without making it too resort style.
- (c) Pottsville Foreshore – Leigh has started the community consultation process for Ambrose Brown Park, Pottsville, including connections to other open space. A preliminary Ambrose Brown Park plan was tabled.

Cabarita Beach Foreshore Plan is being prepared by consultants with input from Leigh, then Hastings Point is next.

Leigh went to the Aboriginal Advisory Committee to request that the Sub-committee advise her of Aboriginal heritage sites and issues in each foreshore area.

Max Boyd asked about funding, who does the costing and where do funds come from. Leigh outlined the process involved and noted that projects were funded from a number of sources.

- 
2. Draft Hastings Point Rocky Shore and Coastal Habitat Education Signage  
Environment Education

The latest version of the Hastings Point Rock Platform signs was presented by Jane. Hastings Adventure Marine Centre (Ted Brambleby & Kerrie Trees) were commissioned to put the information together, which is still in draft form.



Max Boyd advised that as the Caravan Park is being redeveloped, a new site is needed for the Marine Centre which attracts many school groups to Hastings Point to learn marine biology at the museum. General discussion followed on a possible new location for the Marine Centre.

Gary Thorpe felt there would be a lot of objection to any proposal for the museum to be relocated to the Hastings Point headland.

Moved: Gary Thorpe  
Seconded: Peter Harding

RESOLVED that the Tweed Coastal Committee recommend that Council investigate a suitable area for relocation of the Marine Centre within Hastings Point.

RECOMMENDATION:

That Council investigate a suitable area for relocation of the Marine Centre within Hastings Point.

Noted that options for signage/structure/locations to come back to the Committee. It may be an option to make signs simpler with accompanying brochure to contain more detailed information.

---

*Sandy Pimm and Denise O'Brien joined the meeting at 2.20pm.*

3. Cudgera Creek - Development of Caravan Park Site  
Development Assessment, Cudgera Creek

Discussion on the proposed development of a Retirement Village on the Hastings Point Caravan Park Site, Tweed Coast Road, Hastings Point. Of particular interest is the treatment of the riparian zone following removal of existing mobile homes.

*Leigh Abernethy left the meeting at 2.30pm*

Denise O'Brien tabled the plans and asked if the Committee recommends enforcement of a 50m buffer riparian zone. General discussion ensued.

Rhonda James recommended staying with the 50m buffer zone, i.e. not having any buildings within that zone, and there should be an adequate vegetation plan during the staged redevelopment. The current development proposal has an area with no buildings of between 30 to 60 metres from the creek.

Moved: Rhonda James  
Seconded: Peter Harding

RESOLVED that the Tweed Coastal Committee advise Council that the minimum 50m buffer zone as prescribed by the Tweed Coast Estuaries Management Plan be adhered to; that a suitable restoration and revegetation plan be required, and that the development proponents be requested to redesign the proposal to accommodate this submission

RECOMMENDATION:

That Council be advised by the Tweed Coastal Committee that the minimum 50m buffer zone as prescribed by the Tweed Coast Estuaries Management Plan be adhered to; that a suitable restoration and revegetation plan be required, and that the development proponents be requested to redesign the proposal to accommodate this submission.

*Denise O'Brien, Sandy Pimm and Rhonda James left the meeting at 2.55pm*

---

4. NRCMA - Nicole Strehling, Catchment Officer (Coastal and Marine NRCMA)  
Total Catchment Management

Nicole attended the meeting to introduce herself and discuss the role she has as the Catchment Officer (Coastal & Marine) for the northern area of the NRCMA.

The Catchment Action Plan consists of a number of broad themes. Nicole is the officer looking after projects within the two CAP themes of coastal and marine.

A Coastal and Marine education strategy is being developed and the draft will be widely circulated, and Nicole will keep the Committee involved in this.

---

5. Update Kingscliff Foreshore Protection EIS  
Coastline Management Plan, Coastal Management

An update of the foreshore protection EIS was presented by Jane. Consultants are working closely with Leigh Abernethy on how to incorporate beach access etc. Another meeting may have to be called within the next month to look at options presented by the consultants.

The EIS Contract is for \$255,000 (incl GST), which looks at all different aspects such as sand nourishment, rock transport, impact on marine environment etc.

---

6. Draft Duranbah Beach Nourishment Strategy  
Beaches – Duranbah Beach

A copy of the Draft Strategy was tabled by Jane at the meeting for discussion. Jane presented an outline of the strategy to be adopted by Tweed Shire Council and TRESBP.

---

GENERAL BUSINESS:

1. Cudgera Creek - Underboring

Cudgera Creek

Gary Thorpe feels that the Committee should be involved in assessing proposals for the failed underboring project. Richard Hagley advised that the bed of the creek is Crown land, so there would have to be a licence agreement with the Dept of Lands,

Gary felt that it is in the Committee's interest to keep informed about this project. He wanted his objections to the proposal to place concrete blocks on the creek bed recorded. His other concern is that it's been pushed through without any assessment of environmental impacts.

Peter Harding also very concerned about restrictions to water flow from structures in the creek.

---

2. South Kingscliff (Lot 490)

Beaches - Access

John Harbison pointed out the road detour in Lot 490 and the lack of car parking facilities on the old road. Grahame Burton agreed and said he had the same concern, but the long term plan is that we have assurances that more parking will be made available to the public. It is understood that the developer of Lot 490 is to provide coastal car parking as a condition of development of that land.

---

3. Wommin Lake/Lagoon Land

Beaches - Access

Evan Matthews asked about the Crown Land between Wommin Lake and Lagoon regarding illegal vehicular access. Jane will get in touch with Kersten Tuckey and place it on the next meeting agenda.

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NEXT MEETING:

The next meeting of the Tweed Coastal Committee will be held Wednesday 9 August 2006 in the Canvas & Kettle Meeting Room commencing at 1.00pm. There may be an interim meeting on the Kingscliff EIS prior to this, date to be advised.

The meeting closed at 3.30pm.

**DIRECTOR'S COMMENTS:**

Nil.

**DIRECTOR'S RECOMMENDATIONS:**

2. **Draft Hastings Point Rocky Shore and Coastal Habitat Education Signage  
Environment Education**

As per the Committee's recommendation being:

**That Council investigate a suitable area for relocation of the Marine Centre within Hastings Point.**

**Noted that options for signage/structure/locations to come back to the Committee. It may be an option to make signs simpler with accompanying brochure to contain more detailed information.**

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3. **Cudgera Creek - Development of Caravan Park Site  
Development Assessment, Cudgera Creek**

As per the Committee's recommendation being:

**That Council be advised by the Tweed Coastal Committee that the minimum 50m buffer zone as prescribed by the Tweed Coast Estuaries Management Plan be adhered to; that a suitable restoration and revegetation plan be required, and that the development proponents be requested to redesign the proposal to accommodate this submission.**

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**2 [SUB-TRC] Minutes of the Tweed River Committee Meeting held Wednesday 14 June 2006**

VENUE:

Canvas & Kettle Meeting Room, Murwillumbah Civic Centre

TIME:

9.00am.

PRESENT:

Max Boyd (Tweed Shire Council Administrator) (Chair); Robert Quirk (Tweed River Advisory Committee & NSW Cane Growers' Association); Richard Hagley (DIPNR); Martin Dobney (Action Sands Chinderah); Bob Loring (Dept of Primary Industries - Fisheries); Carl Cormack (NSW Maritime Authority); Lance Tarvey (Dept of Environment & Conservation); Harry Christopher (Bilambil Heights Progress Assoc); Claire Masters (Tweed Landcare Inc); Rhonda James (Caldera Environment Centre); Errol Wright (Tweed River Charter Operators); Jane Lofthouse, Geoff Edwards, Marty Hancock (Tweed Shire Council)

INFORMAL:

Nicole Strehling, NRCMA Catchment Officer (Coastal & Marine); Jan McCrohon (Minutes Secretary)

APOLOGIES:

Kersten Tuckey (Dept of Lands); David Oxenham, Tom Alletson, (Tweed Shire Council)

MINUTES OF PREVIOUS MEETING:

Moved: Robert Quirk

Seconded: Harry Christopher

RESOLVED that the Minutes of Meeting held Wednesday 12 April 2006 be accepted as a true and accurate record of the proceedings of that meeting.

BUSINESS ARISING:

Item from Meeting held 12 April 2006

1. Report on Meeting with Gold Coast Airport

Max Boyd, David Oxenham and Tom Alletson attended a meeting with representatives of Gold Coast Airport on 18 May 2006. A report on this meeting and ongoing relations with the airport were presented by Max Boyd.

GCAL representatives reiterated that Environmental Management Plans had been developed and were reviewed every 5 years.

The Committee has the opportunity to input any concerns they may have at this review stage. Max suggested that relevant GCAL officers be invited to attend one or more of TRC meetings. They should be invited to meetings when appropriate and provided with issues/questions of concern to the Tweed River Committee, such as:

- Stormwater drainage management
- Soakage/retention/filtering of any surface runoff/groundwater treatment
- Remediation of water quality
- Old dredge area
- Vegetation Management Plans
- Potential collaboration with Ecological Health Assessment program

Moved: Robert Quirk

Seconded: Lance Tarvey

RESOLVED that the Tweed River Committee write to the Gold Coast Airport Ltd and request that the appropriate officers from the Airport attend the next Committee meeting and bring it up to date on relevant Plans of Management (eg drain management, stormwater, groundwater and vegetation management), and any other issues that impact on the Cobaki Broadwater.

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Item from Meeting held 12 April 2006

2. Correspondence In, Item 2 – Valuation of Ferry Ramp Land, North Tumbulgum

Council resolved to acquire the parcel of foreshore land at North Tumbulgum and to fund the purchase through the following budgets:

\$20,000 from Sale of Road Reserve funds  
\$10,000 from TRC allocation for Boating Facilities  
\$10,000 from Waterways Asset Replacement Fund

Moved: Robert Quirk

Seconded: Clare Masters

RESOLVED that the Tweed River Committee advise Council that the Committee accepts the cost of \$10,000 as part payment for purchase of the foreshore land at North Tumbulgum.

RECOMMENDATION:

That Council be advised that the Committee accepts the cost of \$10,000 as part payment for purchase of the foreshore land at North Tumbulgum.

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Item from Meeting held 12 April 2006

2. Agenda Item 1 – Project Proposal, Identifying Effects of Tidal Restoration in the Tweed River Floodplain

The funding application to the Australian Pacific Science Foundation was not successful, therefore as resolved at the last meeting, this Committee will provide assistance of \$43,000 over 3 years. The Committee confirmed its support and requested regular updates from the project leaders.

A presentation and update to be requested for the next meeting. To be included on the Agenda.

Marty Hancock explained that tidal flushing was working well to increase fish passage, but it would be beneficial to landholders to know what other impacts there may be and mitigation of these impacts. Trials of further plantings of Lomandra will be made to help stabilise the riverbanks.

There are almost 300 floodgates on the Tweed, and NSW Fisheries identified 47 as priorities for floodgate modifications. Funding obtained from the Environmental Trust will bring the number of adapted floodgates to 20 within 2 years. The priority is larger systems and those with through flow where there is better flushing.

Robert Quirk complimented Marty Hancock for sending a newsletter to every landholder in the area highlighting current projects, which was very well received. It is positive that local government, NRCMA and industry are working together.

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Item from Meeting held 12 April 2006

3. Glossy Black Cockatoo

Geoff Edwards followed up on this and has been sent an action plan with information on the cockatoos' feeding habits and other research. After some discussion with Lance Tarvey, they are looking to get the local Tweed Bird Observers involved in monitoring. There is educational material available, and the cockatoo will be featured in Queensland Bird Week. The glossy black have a red rectangle on their tail. Lance Tarvey noted they are a threatened species in NSW.

Geoff will keep people advised on what is happening, with an article in the Tweed Link, and information in Libraries etc.

CORRESPONDENCE IN:

1. NRCMA ENEWS and Board Update May 2006

Total Catchment Management

Copies of correspondence from the NRCMA were made available at the meeting.

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CORRESPONDENCE OUT:

Nil.

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AGENDA ITEMS:

1. NRCMA - Nicole Strehling, NRCMA Catchment Officer (Coastal and Marine)

Total Catchment Management

Nicole attended the meeting to introduce herself and discuss the role she has as the Catchment Officer (Coastal & Marine) for the northern area of the NRCMA.

The Catchment Action Plan consists of a number of broad themes. Nicole is the officer looking after projects within the two CAP themes of coastal and marine.

A Coastal and Marine education strategy is being developed and the draft will be widely circulated, and Nicole will keep the Committee involved in this.

*Rhonda James joined the meeting at 9.50am.*

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2. Oxley Cove Peninsular Plan of Management

Oxley Cove

Over the past 12 months a management plan for community land on the banks of the Tweed River adjacent to the Oxley Cove Canal Estate has been prepared. This plan was considered by Council at its meeting of 13/6/06 and was deferred to the next meeting. The plan contains recommendations relating to vegetation management, access control and preparation of a park plan to enhance the recreational amenity of this area. Ongoing implementation will be undertaken by Council staff and contractors and will be funded initially by the Tweed River Committee.

A copy of the plan was tabled for review at the meeting, and copies will be available on request. A meeting has been held onsite with residents and Kate McKenzie of the CMA. There is intent to form a Landcare group to undertake some work on the vegetation in the area.



Max Boyd reported that the plan was deferred as he was unaware of the extent of consultation with the Aboriginal Land Council. Given the participation of the Land Council, there is now no reason to defer its adoption and Council will be advised accordingly.

Robert Quirk asked if the plan addressed the concerns of the Oxley Cove residents, and Harry Christopher replied that most people wanted it to go ahead. The biggest concern was that of vandalism. Vehicular traffic will be blocked off, which will help to reduce vandalism.

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3. Update on Cobaki and Terranora Broadwater Projects

Cobaki Broadwater, Terranora Broadwater

- (i) Ecosystem Health Assessment - The final report on the design phase of this project will be delivered in July through the International Water Centre. Preliminary budget development indicates that the sum required to undertake an ecosystem health assessment using the method developed by the SEQ Healthy Waterways Partnership will significantly exceed the allocation originally considered by the TRC. This is a concern, however, it is also considered that while high, funding required for the monitoring project, viewed in the context of investment in urban development and infrastructure projects in this area over the next 5 years, is still relatively small. It is recommended that the Committee work to identify other potential funding partners who would have an interest in the project. A detailed consideration of the project and implementation within Cobaki and Terranora should be held over until the final design report is received.

Richard Hagley spoke of a project to assess feasibility of the SEQWQ model to the NRCMA region. A contractor to undertake this study has been selected. There is the opportunity to involve Gold Coast Airport in monitoring within Cobaki Broadwater.

- (ii) Sustainability Assessment- Geolink is preparing draft scenario options to be modelled, in association with ANU. The next step for Council in this process will be to assist the consultants to put additional data into the decision-making models and revise them to ensure outputs are realistic. A model should be ready for test running by the August meeting.
- (iii) Cultural Heritage Management Plan – Ian Fox has completed a draft of the Cultural Heritage Management Plan that is currently being reviewed by members of the local Aboriginal Community. It is anticipated that the report will be complete by the August TRC meeting.

Max Boyd felt that we should investigate ownership of land surrounding Cobaki Broadwater to determine land which is not in government ownership.

Jane to investigate and bring back to next meeting the areas of land that are in public ownership.

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4. Tweed Vegetation Management Plan - Opportunity to fund First Year Implementation

Vegetation Management Plan

Council is currently negotiating with a vegetation management specialist, to join the organisation to assist with relevant strategic and development assessment related vegetation issues. It would be possible for the TRC to fund one third of this position (3 days per fortnight) and as such, begin phasing in priority aspects of the vegetation management plan. Tasks that could be initiated through a part-time 12 months appointment could include:-

- Developing procedural formats for full scale VMP implementation
- Developing working relationships with the NRCMA related to vegetation management
- Attracting NRCMA and other relevant funding for implementation of the VMP
- Initiation of educational programs
- Investigating appropriate conservation incentive programs for the Tweed Shire
- Working on threatened species conservation issues

The TRC would need to allocate \$25,000 to this initiative to assist with creation of the position for 12 months, after which funding for the project should be available through the 7 year infrastructure plan.

Claire Masters said that Landcare would be very happy with this offer by Council. Max Boyd said the budget has been adopted by Council and he is awaiting a decision by the Minister as to the 7 year Plan. The Vegetation Management Plan has yet to be adopted by Council.

Robert Quirk felt this was an opportunity to further links with the Catchment Management Authority.

The money would come out of this year's budget, divided between Riparian Vegetation Rehabilitation, Foreshore Projects and Wetland Enhancement.

Moved: Rhonda James

Seconded: Claire Masters

RESOLVED that the Tweed River Committee advise Council that \$25,000 is to be allocated for the appointment of a vegetation management officer for 3 days a fortnight for 12 months and that a desk would be made available. A review of the position is to be undertaken in 6 months to determine if sufficient resources have been allocated.

RECOMMENDATION:

That Council endorse a \$25,000 allocation from the Tweed River Committee budget to contribute to the appointment of a temporary officer for vegetation management

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for 3 days a fortnight for 12 months. A review of the position is to be undertaken in 6 months to determine if sufficient resources have been allocated. .

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5. Water Supply Catchment Stream Bank Protection Policy  
Total Catchment Management, Water Supply - General

A report to Council at its meeting of 13 June from the Water Unit recommended the adoption of a Stream Bank Protection Policy. The objective of this policy and report is to formalise the ability for Council to fund stream bank protection works on private land. A copy of the report to Council was tabled at the meeting. The report was adopted by Council.

It was agreed that a copy of the report should be sent to the General Manager and Peter Boyd of the NRCMA.

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6. Tweed Recreational Boating Study  
Boating, Master Boating Plan

Patterson Britton & Partners have commenced the Recreational Boating Study, and undertaken consultation with boating groups, and conducted an audit of existing facilities. A draft plan will be presented at the next meeting.

The official opening of Lakes Drive Boat Ramp is on 22 June. There was concern regarding the lack of parking facilities at this location and along Kennedy Drive. This will be one of the issues looked at by the consultants. Fingal Head Boat Ramp has adequate parking, and could take the pressure off Kennedy Drive if there was more signage to this effect. Geoff Edwards will investigate the legality of fining cars parked in trailer spaces.

Carl Cormack advised that the NSW Maritime Authority Tweed Boating Plan of Management is still with the Minister's office. There is a budget of \$60-70,000 for signage relating to the Boating Plan of Management.

Errol Wright expressed his concerns about Jack Evans Boat Harbour silting up, and the need for dredging. Harry Christopher added that the Broadwater had the same problem. Max Boyd said that there had been numerous discussions on the safety of swimmers and needs of rescue organisations versus the boating community's needs.

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GENERAL BUSINESS:

1. Colour Brochure

Tweed River Committee

Discussion on updating the 'Looking after the Tweed Estuary' brochure. The new version could be launched at the Tweed River Festival. The Committee agreed that the brochure should be updated. Claire Masters also suggested that information videos could be added at the Festival.

*Geoff Edwards left the meeting at 10.57am*

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2. Stotts Island

Drainage Union - Duranbah

Robert Quirk advised that, as specified in the Stotts Channel Vegetation Management Plan, there is a need for a site visit by representatives of Duranbah Drainage Union, Fisheries, and National Parks, by boat when determining the amount of vegetation to be cleared.

Jane suggested we wait for Tom's return on 27 June before this is organised, with the following people to take part in the review:-

- Duranbah Drainage Union
  - DPI – Pat Dwyer
  - NPWS DEC – James Law/Allan Goodwin
  - TSC – Tom Alletson
  - DNR – Richard Hagley
- 

3. Mangroves on Tonys Bar

Tonys Bar

Lance Tarvey requested an update on the current situation regarding clearing mangroves off Tony's Bar, Tweed River. Jane will check with Pat Dwyer (DPI Fisheries) and report back to Lance.

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4. Oyster Lease to be Removed

Oyster Lease

Bob Lory advised that an oyster lease needs to be removed at the bottom of Bilambil hill. He knows an oyster farmer now out of work who is keen to do the job. \$5,000 has been allocated to this by the Committee plus waive of dump fees. Jane will investigate from previous Minutes.

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5. Estuary Management Program

Estuary Management, Tweed River Committee

Guaranteed funding through the Estuary Management Program ends this year. With elections due next year, it might be a good opportunity to lobby for continued funding for the Tweed River Estuary Management Program.

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6. Acid Sulfate Scald

Pollution – Acid Sulfate Soil

Marty Hancock updated the Committee on the remediation of the acid sulfate scald at Wardrop Valley, with two thirds on Council land and one third development land. Hopefully this area will be capped and vegetated this winter.

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7. Richmond River Fish Kill Meeting

Pollution - Water

Richmond River Fish Kill meeting will be held Friday 16 June, and Marty Hancock will attend.

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8. Environmental Restoration Conference

Water Management - Conferences

Claire Masters was funded by the Committee to attend the 2 day conference at Ballina recently. Rhonda James also attended, as did Sandy Pimm and Tanya Fountain from Council. Claire reported on issues covered at the conference and thanked the Committee for giving her this worthwhile opportunity.

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9. Coast to Coast Conference

Water Management - Conferences

Jane reported on her visit to Melbourne for the Coast to Coast Conference on 22 May. A detailed report is in the Business Paper and conference papers are available on the Victorian Coastal Council website.

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10. BOM Conference

Water Management - Conferences

Robert Quirk reported on his attendance at the BOM Conference on sea level rise. The largest increase in sea temperature has been recorded in the Tasman Sea. Climate change is now a major concern everywhere, with the worst case scenario being an 8 degree Celsius temperature increase by the year 2100.

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**NEXT MEETING:**

The next meeting of the Committee is to be held on Wednesday 9 August 2006 at the Canvas & Kettle Meeting room commencing at 9.00 am.

The meeting closed at 11.40am.

**DIRECTOR'S COMMENTS:**

Nil.

**DIRECTOR'S RECOMMENDATIONS:**

**BUSINESS ARISING:**

2. Correspondence In, Item 2 – Valuation of Ferry Ramp Land, North Tumbulgum

As per Committee's recommendation being:

That Council be advised that the Committee accepts the cost of \$10,000 as part payment for purchase of the foreshore land at North Tumbulgum.

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**AGENDA ITEMS:**

4. Tweed Vegetation Management Plan - Opportunity to fund First Year Implementation

Vegetation Management Plan

As per Committee's recommendation being:

That Council endorse a \$25,000 allocation from the Tweed River Committee budget to contribute to the appointment of a temporary officer for vegetation management for 3 days a fortnight for 12 months. A review of the position is to be undertaken in 6 months to determine if sufficient resources have been allocated.

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**3 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 15 June 2006**

VENUE:

Peter Border Room

TIME:

Commencing at 9.00am.

PRESENT:

Committee Members: Mike Baldwin, Roads and Traffic Authority; Jason Thrupp, NSW Police; Mr Neville Newell, MP, Member for Tweed.

Informal: Chairman: Mr Paul Morgan, Mr Ray Clark and Judith Finch Tweed Shire Council.

APOLOGIES:

Mr Don Page MP, Member for Ballina.

MINUTES OF PREVIOUS MEETING:

RESOLVED that the Minutes of the Local Traffic Committee Meeting held Thursday 18 May 2006 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

SCHEDULE OF OUTSTANDING LOCAL TRAFFIC COMMITTEE ITEMS

Item from Meeting Held 16/3/06:

3. Bakers Road, Murwillumbah  
R0280 Pt1; DW1346133; Traffic - Parking Zones; New Art Gallery

*"Request received in relation to parked vehicles at the art gallery. The parked vehicles are making it difficult for persons at 41 Bakers Road to exit their property.*

*This item deferred until the extensions to the Art Gallery are complete as extra on-site car parking should be provided.*

*To be brought forward to the Local Traffic Committee meeting in September 2006.*

*For Council's information."*

Current Status: To be brought forward to the LTC for meeting in September 2006.

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BUSINESS ARISING:

Item from Meeting held 19/5/05

4. Pottsville / Mooball Road, Pottsville

R4420 Pt3; DW1195084; Traffic - Speed Zones; Safety

*"Request received for a reduction in the speed limit from 100kph to 80ph on the section of Pottsville Mooball Road from where the 100kph commences to Mooball to take in all the winding areas.*

*It was noted that speed counts have been performed in the past and this location will be reviewed once the reconstruction of Cudgera Creek Road is completed.*

*To be brought forward to the meeting of June 2006.*

*For Council's information."*

*Current Status: To be brought forward to the LTC for meeting in June 2006.*

*For Council's information.*

Current Status: To be brought forward to the LTC for meeting in December 2005.

Item From Meeting held 15/12/05

*"The Committee noted that road works are not yet completed. To be brought forward to the LTC meeting in March 2006.*

*For Council's information."*

Current Status: To be brought forward to the LTC for meeting in March 2006.

Item From Meeting held 16/3/06

*"To be brought forward to the Local Traffic Committee for meeting in April 2006.*

*For Council's information."*

Item From Meeting held 14/4/06

*"The Committee noted that the roadworks are not yet finished. Decided that speed counts are to be performed prior to the June 2006 meeting. To be brought forward to the Local Traffic Committee meeting of June 2006.*

*For Council's information.*

*Current Status: To be brought forward to the LTC for meeting in June 2006."*



From Meeting held 15/6/06

The Committee noted that traffic and speed counts need to be performed and reported to the July 2006 meeting.

For Council's information.

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Item from Meeting held 16/3/06

12. Machinery Drive, Greenway Drive and Tierney Place, Tweed Heads South

R3250 Pt4; R2315 Pt1; R5485 Pt1; DW1360073; Traffic - Weight of Vehicles (inc B-Doubles)

*"Request received for an extension to the B-Double route from the end of Machinery Drive to the entrance gate at the Tweed Heads Motor Registry, Greenway Drive, South Tweed Heads.*

*This is to allow roadworthiness inspections to be conducted on B-Doubles at the Tweed Heads Motor Registry. The Motor Registry is drive through and the exit is on Tierney's Place, South Tweed Heads, and an existing B-Double route.*

*Concern was raised with what impact the inspection of B-doubles may have on Machinery Drive and how the vehicles would be managed on-site.*

*To be brought forward to the April 2006 meeting.*

*For Council's information."*

Item From Meeting held 14/4/06

*"To be brought forward to the meeting of 18 May 2006 for the Police Representative to be in attendance as he has had discussions with RTA inspectors regarding the matter.*

*For Council's information."*

Item From Meeting held 18/5/06

The Roads & Traffic Authority have responded to Council (DW1382670) as follows:-

*"Machinery Drive is an approved BDouble route, the request is to extend the route for less than 100 metres along Greenway Drive to the Motor Registry entrance gate. The number of combinations using this route would be minimal so there would be no additional impact on Machinery Drive and very little impact to Greenway Drive.*

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*The B Doubles would use the entrance gate, drive through the inspection area at the rear of the Motor Registry and use the exit gate onto Tierneys Place another existing approved B Double route."*

*"The Chairman advised that Council has not received enough detail in relation to this request. It was also noted that the RTA form for a b-double application has not been received. Also Local RTA Inspectors have advised that it is considered that a b-double vehicle would be unable to negotiate the site. Evidence is also required that there will not be a great impact on already congested intersections such as Machinery Drive.*

*The RTA Representative undertook to get further information and report back to the next LTC meeting.*

*To be brought forward to the LTC meeting in June 2006."*

From Meeting held 15/6/06:

In view of no further information being submitted from the applicant no further action will be taken at this time.

For Council's information.

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Item from Meeting held 13/4/06:

3. Kingscliff Street, Orient Street, Sutherland Street, Kingscliff  
R3960 Pt1; Kingscliff Street, Sutherland Street; DW1354964; Kingscliff Public School;  
Traffic - Safety; Traffic - School Zones; Traffic - Pedestrian Crossing

*"Request received for review of the following sites in relation to school safety:-*

- 1. 5 way roundabout connecting Kingscliff Street and Sutherland Street. Concerns have been raised in relation to safety of student when crossing at this location on their way to and from school.*
- 2. The location of the school crossing in Orient Street. Concern has been raised as to the close proximity to the corner, access, vision, slope of roadway and safer crossing options further up the street closer to the school.*

*The Committee commented as follows:-*

- 1. That crossing points on all legs of the roundabout are provided and comply with relevant standards. It is suggested that the school raises the issue with parents and jointly educate the students to cross roads at the appropriate locations. The School should also be advised that Roads & Traffic Authority research shows that children under the age of 10 should be accompanied by an adult in a traffic environment.*

2. *In relation to the location of the school crossing the previous Principal of the school had requested that the school crossing be located in its current position. A condition of the crossing being placed was that the school agreed to display the 'crossing flags' in the morning and afternoon. The Road Safety Officer undertook to meet the Principal on site to explain site constraints.*

*For Council's information."*

Item from Meeting Held 18/5/06:

*"The Chairman advised that the Road Safety Officer had met with the School Principal in relation to moving the location of the school crossing and placement of flags. It was noted that the School had yet to sign documentation in relation to placement of flags.*

*To be brought forward to the June 2006 meeting."*

From Meeting held 15/6/06:

The Committee noted that a letter had been sent to the School in relation to flags being erected prior to the crossing being relocated.

RECOMMENDATION:

That the School crossing be relocated further west on Orient Street closer to the school, subject to the Principal signing the agreement form to place the crossing flags as per the RTA Technical Direction.

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From Meeting held 18/5/06:

3. Prince Street - Children's Crossing  
School - Fingal Head; Traffic Safety; Pedestrian Crossings, School - Zones; Footpaths - Request For; R4439 Pt 1; R3040 Pt2; DW 1387251

*"Request received for a children's crossing at the intersection on Prince Street and Letitia Spit Road.*

*The appropriate investigations to be undertaken by the Road Safety Officer and to meet on site with the School to identify the best locations.*

*To be brought forward to the June 2006 meeting.*

*For Council's information."*

From Meeting held 15/6/06:

Further discussion took place on this issue and the RSO advised he has been in contact with the School and the site for the children's crossing is on Prince Street 6m west of Letitia Spit Road.

RECOMMENDATION:

That a children's crossing be located on Prince Street 6m west of Letitia Spit Road, subject to the Principal signing the agreement form to place the crossing flags as per the RTA Technical Direction.

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From Meeting held 18/5/06:

4. Rowlands Creek Road

Traffic - Speed Zones; R4800 Pt 2; DW1356483;

*"Request received for the speed limit on Rowlands Creek Road to be reduced to 60-70kph.*

*Traffic count data and crash records to be updated. To be brought forward to the meeting in June 2006.*

*For Council's information."*

From Meeting held 15/6/06:

Traffic count data was unavailable. To be brought forward to the meeting in July 2006.

For Council's information.

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GENERAL BUSINESS:

PART A

1. Kyogle Road (Fruit Stall) between Uki and Murwillumbah  
R2970 Pt 14; DW1397931; Traffic-Safety; Roadside Stalls; Complaint

This item is being dealt with under the Confidential Meeting Agenda. The Supplementary Confidential Report can be found at DW1417508.

RECOMMENDATION:

That this matter be referred to the Director Planning and Development to pursue:-

1. The immediate installation of the car park in accordance with the approved car park plan.
2. The status of the development in regard to the time limit on the consent.

- 
2. Queensland Road, Murwillumbah  
R4510 Pt 1; DW1397631; Roads - Works/Construction; Traffic - Speed Zones; Traffic - Safety; Dungay Creek Road; Tomewin Road

Request received in relation to:-

1. The junction below Sweetnams Bridge with Dungay Creek Road has a blind bend obstructing the view of traffic approaching from the south, making it difficult to turn into Dungay Creek Road. It is suggested that a mirror located on this bend may assist, together with a speed advisory sign and trimming of the foliage.
2. The painting of double centre lines and advisory "Slow" sign being installed on the bend in Queensland Road at the location of a fatal accident a couple of years ago. It is reported that drivers are travelling too fast on this bend.

The Committee discussed the above issues and made the following recommendations:-

RECOMMENDATION:

That:-

1. Council approach the owner of the property at the intersection of Tomewin Road and Dungay Creek Road to give permission to remove vegetation to assist sight distance.
2. The double centre lines be extended east at the intersection of Tomewin Road and Dungay Creek Road.

3. Guideposts be erected on Tomewin Road in accordance with Council's policy.
  4. Double centre lines be installed on Queensland Road in locations where sight distance is below RTA specifications.
- 

3. Brisbane Street, Murwillumbah  
R0760 Pt 1; DW1403151; Traffic - Speed Zones; Traffic - Safety

Verbal request received in relation to an incident with a vehicle exiting the Sunnyside car park onto Brisbane Street. It is reported that vehicles leave the site at speed, placing pedestrians at risk.

The Committee noted that the wall does not comply with sight line requirements specified in Australian Standards which is considered a major contributing factor to the problem.

The possibility of the installation of a mirror to view pedestrians was suggested.

The Committee noted pedestrians on the footpath have right of way and Centre Management should erect additional signage and extra speed humps to ensure pedestrians are protected.

**RECOMMENDATION:**

That the Road Safety Officer meet with Centre Management of Sunnyside to discuss methods of improving pedestrian safety at the exit on to Brisbane Street.

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4. Eyles Lane, Murwillumbah  
Roads - Maintenance Program; R1981 Pt1; DW1392828; Traffic - Safety

Request received for Eyles Lane to be converted to one way for vehicle use. It has been reported that two vehicles cannot pass and that parking is also very difficult due to culverts and drains.

The Committee noted that this is a typical laneway to provide low speed access to properties and it is also noted that 2 vehicles can pass provided they drive in an appropriate manner. It was noted that the maintenance engineer is aware of the maintenance issues raised and has responded separately. It is generally not considered appropriate to convert residential streets and roads to one way flow as it has the potential to increase traffic speed and forces people to travel further distances.

For Council's information.

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5. Kyogle Road, Uki  
R2970 Pt14; DW1403643; Traffic - Speed Zones; Bus Services - Routes

Request received for reassessment of the 80kph speed limit on Kyogle Road near the school bus stop (at the bottom of the road).

The Committee is of the opinion that the 80kph speed limit is appropriate for Kyogle Road at that location and is based on a recent speed zone assessment. The Committee was also advised that bus shelters in subdivisions are generally installed for the benefit of commuter bus services but are often used by school bus services.

In this instance the Committee considers that it would be a safer option for the bus to enter Braeside Drive and turn at the nearest side street as they do in several other rural residential locations. It was agreed that Council should contact the Department of Transport requesting a variation of the school bus route to include Braeside Drive.

The Committee also agreed to endorse 50kph speed zoning on Braeside Drive.

RECOMMENDATION:

That:-

1. A 50kph speed zone be endorsed on Braeside Drive, Uki.
2. Council writes to the Department of Transport requesting a variation of the school bus route to include Braeside Drive.

- 
6. Piggabeen Road and Cobaki Road, Piggabeen  
R4300 Pt11; DW1405363; Traffic - Directional Signs; Street-Sign

Request received for:-

1. The installation of a "Give Way" sign at the intersection of Piggabeen and Cobaki Roads, Humpty Back Bridge with Cobaki Road having to give way to Piggabeen Road for traffic heading into Tweed Heads.
2. The erection of a sign "To Piggabeen" on the directional signpost under the "Piggabeen Road" sign at the same corner.

The Committee noted that the Piggabeen Road at Humpty Back Bridge is clearly the terminating road and should remain as the terminating street. It is considered dangerous to re-prioritise the intersection in a high speed environment.

The erection of a sign "To Piggabeen" was not agreed to as Piggabeen is not a village or town and signage to localities is not permitted under the relevant Australian Standards.

For Council's information.

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7. Soorley Street, Tweed Heads South

R5150 Pt1; DW1412897; Traffic - Parking Zones

Late agenda item. A request has been received from the developer of the site for a construction zone on the Soorley Street frontage of the old Motel site. The Committee supported the request subject to the following recommendation.

RECOMMENDATION:

That temporary "Construction Zone" signage be erected on Soorley Street at the frontage to the old Motel site 20m from the intersection with Minjungbal Drive for the period of construction activity at the developer's cost.

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PART B

Nil.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 20 July 2006 in the Peter Border Room commencing at 9.00am.

The meeting closed at 10:45am.

**DIRECTOR'S COMMENTS:**

Nil.

**DIRECTOR'S RECOMMENDATIONS:**

**BUSINESS ARISING**

**3. Kingscliff Street, Orient Street, Sutherland Street, Kingscliff**

**R3960 Pt1; Kingscliff Street, Sutherland Street; DW1354964; Kingscliff Public School; Traffic - Safety; Traffic - School Zones; Traffic - Pedestrian Crossing**

**As per the Committee's recommendation being:**

**That the School crossing be relocated further west on Orient Street closer to the school, subject to the Principal signing the agreement form to place the crossing flags as per the RTA Technical Direction.**

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3. **Prince Street - Children's Crossing**  
**School - Fingal Head; Traffic Safety; Pedestrian Crossings, School - Zones;**  
**Footpaths - Request For; R4439 Pt 1; R3040 Pt2; DW 1387251**

**As per the Committee's recommendation being:**

**That a children's crossing be located on Prince Street 6m west of Letitia Spit Road, subject to the Principal signing the agreement form to place the crossing flags as per the RTA Technical Direction.**

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**GENERAL BUSINESS**

1. **Kyogle Road (Fruit Stall) between Uki and Murwillumbah**  
**R2970 Pt 14; DW1397931; Traffic-Safety; Roadside Stalls; Complaint**

**As per the Committee's recommendation being:**

**That this matter be referred to the Director Planning and Development to pursue:-**

1. **The immediate installation of the car park in accordance with the approved car park plan.**
  2. **The status of the development in regard to the time limit on the consent.**
- 

2. **Queensland Road, Murwillumbah**  
**R4510 Pt 1; DW1397631; Roads - Works/Construction; Traffic - Speed Zones;**  
**Traffic - Safety; Dungay Creek Road; Tomewin Road**

**As per the Committee's recommendation being:**

**That:-**

1. **Council approach the owner of the property at the intersection of Tomewin Road and Dungay Creek Road to give permission to remove vegetation to assist sight distance.**
  2. **The double centre lines be extended east at the intersection of Tomewin Road and Dungay Creek Road.**
  3. **Guideposts be erected on Tomewin Road in accordance with Council's policy.**
-

4. Double centre lines be installed on Queensland Road in locations where sight distance is below RTA specifications.
- 

3. Brisbane Street, Murwillumbah  
R0760 Pt 1; DW1403151; Traffic - Speed Zones; Traffic - Safety

As per the Committee's recommendation being:

That the Road Safety Officer meet with Centre Management of Sunnyside to discuss methods of improving pedestrian safety at the exit on to Brisbane Street.

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5. Kyogle Road, Uki  
R2970 Pt14; DW1403643; Traffic - Speed Zones; Bus Services - Routes

As per the Committee's recommendation being:

That:-

1. A 50kph speed zone be endorsed on Braeside Drive, Uki.
  2. Council writes to the Department of Transport requesting a variation of the school bus route to include Braeside Drive.
- 

7. Soorley Street, Tweed Heads South  
R5150 Pt1; DW1412897; Traffic - Parking Zones

As per the Committee's recommendation being:

That temporary "Construction Zone" signage be erected on Soorley Street at the frontage to the old Motel site 20m from the intersection with Minjungbal Drive for the period of construction activity at the developer's cost.

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## CONFIDENTIAL ITEMS FOR CONSIDERATION

### REPORTS FROM THE DIRECTOR PLANNING & DEVELOPMENT IN COMMITTEE

#### 1 [PD-CM] Draft Development Control Plan No. 55 - Seaside City

##### REASON FOR CONFIDENTIALITY:

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

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

### REPORTS FROM THE ACTING DIRECTOR ENGINEERING AND OPERATIONS IN COMMITTEE

#### 2 [EO-OC] Naming of Public Road, Tagget Drive, Cudgera Creek

##### REASON FOR CONFIDENTIALITY:

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

- (a) personnel matters concerning particular individuals (other than councillors)

#### 3 [EO-OC] Chinderah Bay Marina

##### REASON FOR CONFIDENTIALITY:

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

- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret

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