



# **AGENDA**

## **ORDINARY COUNCIL MEETING Tuesday 6 March 2007**

### COUNCIL'S CHARTER

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

Tweed Shire Council has the following charter:

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

## ITEMS FOR CONSIDERATION OF COUNCIL:

ITEM	PRECIS	PAGE
	<b>ABORIGINAL STATEMENT</b>	<b>5</b>
	<b>CONFIRMATION OF MINUTES</b>	<b>5</b>
	Minutes of the Ordinary and Confidential Council Meetings held Tuesday 13 February 2007	5
	<b>SCHEDULE OF OUTSTANDING RESOLUTIONS</b>	<b>7</b>
	Schedule of Outstanding Resolutions	7
	<b>ADMINISTRATOR'S MINUTE</b>	<b>15</b>
	[AM] Signing of Documents	15
	<b>ORDINARY ITEMS FOR CONSIDERATION</b>	<b>17</b>
	<b>REPORTS FROM SUB-COMMITTEES/WORKING GROUPS</b>	<b>17</b>
1	[SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 February 2007	17
2	[SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 15 February 2007	25
	<b>ORDERS OF THE DAY</b>	<b>37</b>
1	[NOM] Reafforestation Scheme for Tweed Shire	37
2	[NOM] Purchase of Energy	37
	<b>CONFIDENTIAL ITEMS FOR CONSIDERATION</b>	<b>39</b>
	<b>REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS</b>	<b>39</b>
1	[EO-CM] Land Development & Disposal of Council Land to Facilitate Commercial and Community Opportunities - Tweed Heads, Bogangar and Murwillumbah	39
2	[EO-CM] EC2006-160 Extensions to Murwillumbah Civic Centre	39
	<b>REPORTS FROM THE DIRECTOR ENVIRONMENT &amp; COMMUNITY SERVICES</b>	<b>40</b>
3	[EC-CM] Structures Placed Without the Prior Approval of Council - Site 92 Tweed River Hacienda Holiday Park	40

THIS  
PAGE  
THIS  
PAGE  
IS  
IS  
BLANK  
BLANK

## ABORIGINAL STATEMENT

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

## CONFIRMATION OF MINUTES

**Minutes of the Ordinary and Confidential Council Meetings held Tuesday 13 February 2007**

### 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. Minutes of the Ordinary Council Meeting held Tuesday 13 February 2007 (DW 1540182)
  2. **Confidential Attachment** - Minutes of the Confidential Council Meeting held Tuesday 13 February 2007 (DW 1540115)
-

THIS  
PAGE  
THIS  
PAGE  
IS  
IS  
BLANK  
BLANK

## SCHEDULE OF OUTSTANDING RESOLUTIONS

### Schedule of Outstanding Resolutions

#### FOR COUNCILLOR'S INFORMATION:

25 JULY 2006

#### PLANNING COMMITTEE

#### REPORTS FROM DIRECTOR PLANNING AND DEVELOPMENT

**P10 [PD-PC] Draft Tweed Local Environmental Plan 2000, Amendment No 69 - Seabreeze Estate, Pottsville (Stage 2)**

#### P111 COMMITTEE DECISION:

**Administrator Turnbull  
Administrator Boyd**

**RECOMMENDED** that Council defers this item so a workshop can be conducted on the draft Tweed Local Environmental Plan 2000, Amendment No 69 – Seabreeze Estate, Pottsville (Stage 2).

**Current Status:** Workshop to be organised in conjunction with assessment of DCP No 5.

---

#### ORDINARY MATTERS

#### ORDERS OF THE DAY

**4 [NOM] Section 149 Certificates**

#### 150 COUNCIL DECISION:

**Administrator Boyd  
Administrator Turnbull**

**RESOLVED** that Council staff be requested to bring forward a report which addresses the desirability of including details regarding the constraints which apply to all agricultural land classified as being of State or Regional significance on all Section 149 Certificates relevant to these lands.

**Current Status:** Report is being prepared.

---

**26 SEPTEMBER 2006**

**OPERATIONS COMMITTEE**

**O22 [EO-OC] Gruners Lookout, Tomewin Road**

**O 263 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Turnbull**

That:-

.....

3. The General Manager provides a report to Administrators on opportunities for lookouts that can be sustained through time.

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

---

**19 DECEMBER 2006**

**OPERATIONS COMMITTEE**

**O1 [GM-OC] Tweed Economic Growth Management Strategy**

**O 324 COMMITTEE DECISION:**

**Administrator Turnbull  
Administrator Willan**

**RECOMMENDED** that:-

1. ....
2. The General Manager be requested to prepare a report on the options for the creation of employment land and precinct within land zoned for urban expansion and elsewhere in the Tweed Shire Council consultation with the Tweed Economic Development Corporation.

**Current Status:** A brief has been incorporated as part of LEP Stage 2.

---



**O6 [TCS-OC] A New Direction for Local Government - Department of Local Government Position Paper**

**O 329 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Turnbull**

**RECOMMENDED** that:

1. ...
2. A draft submission be prepared for consideration by Council, prior to 6 March 2007.

**Current Status:** Report being prepared for meeting on 27 March 2007.

---

**O16 [EO-OC] Tweed Integrated Water Cycle Management (IWCM) Context Study & Strategy Report**

**O 339 COMMITTEE DECISION:**

**Administrator Willan  
Administrator Boyd**

**RECOMMENDED** that:-

1. ...
2. Council Officers bring forward a further report detailing a proposed Community Consultation program to facilitate the IWCM process.

**Current Status:** Report being prepared.

---

23 JANUARY 2007

**ORDERS OF THE DAY**

**5 [NOM] Aboriginal Statement**

**NOTICE OF MOTION:**

**13 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Willan**

**RESOLVED** that the words of the aboriginal acknowledgement approved at the Council meeting held 6 July 2005 be referred to the Aboriginal Advisory Committee for consideration of members in view of a recent suggestion made by an Aboriginal person that the words "traditional owners" perhaps should be replaced by "original custodians".

**Current Status:** Notice of Motion referred to the Aboriginal Advisory Committee, awaiting comment.

---

**QUESTION TIME**

**[QT] Hastings Point Road, Headland**

**Administrator Boyd**

Asked will staff provide an estimate of cost to reconstruct or resurface the access road and parking area on Hastings Point Headland?

**Current Status:** Report being prepared for meeting on 27 March 2007.

---

**[QT] Groundwater Reserves - Tweed Shire**

**Administrator Boyd**

Asked have there been any detailed assessments undertaken to identify and quantify groundwater reserves in Tweed Shire?

**Current Status:** General Manager responded that there was an amount of detailed information available. This information will be collated from the various sources and provided to Council.

**CONFIDENTIAL ITEMS - 23 JANUARY 2007**

**REPORTS FROM THE DIRECTOR ENVIRONMENT & COMMUNITY SERVICES**

**3 [EC-CM] Request for Donation**

**REASON FOR CONFIDENTIALITY:**

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

(b) *the personal hardship of any resident or ratepayer*

**C 4 COMMITTEE DECISION:**

That this item be deferred to obtain more information.

**Current Status:** Additional background information is being sought.

---

**13 FEBRUARY 2007**

**PLANNING COMMITTEE**

**7 [PD-PC] Development Application DA06/0847 for a 5 Lot Subdivision at Lot 22 DP 617126, No 26-30 Wollumbin Street, Tyalgum**

**P 19 COMMITTEE DECISION:**

**Administrator Boyd  
Administrator Turnbull**

**RECOMMENDED** that Development Application DA06/0847 for a 5 lot subdivision at Lot 22 DP 617126 No 26-30 Wollumbin Street, Tyalgum be deferred to allow further consultation between the applicant and Council officers.

**Current Status:** Amended plans submitted - to be reported to Council Meeting on 27 March 2007.

---

**ORDERS OF THE DAY**

**1 [NOM] Climate Change**

**24 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Willan**

**RESOLVED** that:-

- a. Council urgently reviews its operations to ascertain what Council can do to meet the challenges of climate change; and
- b. Reports be brought forward with recommendations as to what specific actions can be implemented by Council to play its part in reducing the consequences of climate change.

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

---

**3 [NOM] Pollution - Cobaki Broadwater**

It is understood that on or around 22 January 2007, possibly polluted waters from a culvert dewatering operation were discharged into a drain leading to the Cobaki Broadwater.

**26 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Willan**

**RESOLVED** that Council requests a briefing from the NSW Department of Environment and Conservation in regard to this incident and the Department's regulatory control to ensure compliance with the approved Tugun By-pass Environmental Management Plan.

**Current Status:** Negotiations continuing with the Department of Environment & Conservation.

---

**4 [NOM] Removal of Derelict and Unregistered Cars and Trucks and Abandoned Machinery**

**27 COUNCIL DECISION:**

**Administrator Boyd  
Administrator Turnbull**

**RESOLVED** that Council undertakes an ongoing campaign to get rid of all derelict and unregistered cars and trucks and abandoned machinery in Tweed Shire in order to eliminate it as sources of chemical and visual pollution.

**Current Status:** Actions in progress

---

THIS  
PAGE  
IS  
BLANK

THIS  
PAGE  
IS  
BLANK

## ADMINISTRATOR'S MINUTE

### [AM] Signing of Documents

#### Documents signed by Administrators since 13 February 2007

##### Administrator Boyd

21 February 2007      Acquisition of Land for Road widening - Tweed Coast Road,  
Chinderah

#### RECOMMENDATION:

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

---

THIS  
PAGE  
IS  
BLANK

THIS  
PAGE  
IS  
BLANK



## ORDINARY ITEMS FOR CONSIDERATION

### REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

#### 1 [SUB-AAC] Minutes of the Aboriginal Advisory Committee Meeting held Friday 2 February 2007

VENUE:

Tweed Heads Civic Centre Meeting Room

TIME:

10.00am

PRESENT:

Administrator Max Boyd (Tweed Shire Council), Gary Corbett (Tweed Shire Council), Lesley Mye (Tweed Shire Council), Maureen Logan (TBLALC), Jackie McDonald (Tweed Wollumbin AECG), Rob Slockee (TBLALC), Dot Holdom (Community member), Russell Logan (TBLALC/Centrelink), Gerry Jones (Indigenous Business Australia), Lulu Hamilton (Githabul), Barbara Oliver (Githabul), Janette Saunders (Community), Garth Lena (Community), Clarence Phillips (TBLALC),

APOLOGIES:

Kathleen Lena and Val Mye

Moved: Administrator Boyd

Seconded: Russell Logan

RESOLVED that the apologies be accepted.

Carried

---

The Chair was declared vacant and nominations were called. Gary Corbett was nominated and unanimously elected to Chair the meeting.

Gary Corbett opened the meeting with a welcome to all present and paid respect to Elders past and present.

Moved: Administrator Boyd

Seconded: Russell Logan

RESOLVED to defer Business Arising until after the presentations of the guest speakers

Carried

MINUTES OF PREVIOUS MEETING:

Moved: Janette Saunders

Seconded: Maureen Logan

RESOLVED that the ordinary monthly meeting held Friday 1 December 2006 be accepted as a true and accurate record of the proceedings of that meeting.

Carried

---

BUSINESS ARISING:

Item from Meeting held Friday 5 August 2005

BA 1. Indigenous Fishing Strategy

Mr Rob Slockee tabled information concerning the Indigenous Fishing Strategy and its effect on his family and the community. Mr Slockee requested a letter from the Committee inviting the Director, Fisheries Management, Department of Primary Industries Anthony Hurst and Aboriginal Policy Officer Gavin Callaghan to address the committee.

Moved: Administrator Boyd

Seconded: Russell Logan

RESOLVED that the Committee formally invites the Director, Fisheries Management, Department of Primary Industries, Anthony Hurst and Aboriginal Policy Officer Gavin Callaghan to address the Committee on the Aboriginal Fishing Strategy

Carried

---

Item from Meeting held Friday 3 November 2006

BA 2. Chinderah Marina

Extract from the November 2006 minutes

Mr Lena requested a letter supporting his presentation.

Moved: Garth Lena

Seconded: Jackie McDonald

RESOLVED that a letter from the Committee stating that it does not support the extension of the marina to 115 berths be forwarded to Mr Lena.

Carried

Mr Corbett tabled correspondence from the Council meeting held Tuesday 12 December 2006.

*"That Council does not support a letter being sent to Mr Garth Lena."*

---

Item from Meeting held Friday 2 June 2006

BA 3. NSW Geographic Names Board

Administrator Boyd advised the committee that the McKenzie family were not contacted about the renaming of Mt Warning to Wollumbin. Ms McDonald advised the committee that Tweed Wollumbin Aboriginal Education Consultative Group (TWAECG) had discussed the matter of renaming the once named Mt Wollumbin and nominated "Little Wollumbin" as the new name for the once known Mt Wollumbin.

Moved: Administrator Boyd

Seconded: Russell Logan

RESOLVED that the Committee, with the support of the Tweed Shire Council, invites the NSW Geographic Names Board to visit and undertake public consultation to reach a conclusion to the renaming of the mountain previously carrying the name "Wollumbin" and that the McKenzie family be invited to attend.

Carried

---

Item from Meeting held Friday 6 May 2005

BA 4. Entry Points to Tweed Shire

Discussion was undertaken with regard to the Entry signage to the Shire.

Moved: Russell Logan

Seconded: Maureen Logan

RESOLVED that the committee endorse the following "Tweed Shire acknowledges the Naganduwal/Minjungbal people of the Bundjalung Nation" subject to endorsement by the Tweed Byron Local Aboriginal Land Council.

Carried

---

Item from Meeting held Friday 5 May 2006

BA 5. City of the Arts 2003-2005 SADE Project Village Timber Art Trail Burringbar Village Project

Mr Corbett tabled information relating to this project and it was received, noted and approved

---

Item from Meeting held Friday 4 August 2006

BA 6. Bundjalung Mapping Project - Ms Evette Gibbons, Southern Cross University Project.

Mr Corbett tabled the finished project that Ms Gibbons completed under the supervision of Mr Ian Fox and members of the Tweed Byron Local Aboriginal Land Council. Ms Mye advised the committee that Ms Gibbons received high distinction for her project. The committee advised Ms Mye to forward the outcome of the project to Tom Alletson so that hopefully signage can be utilised within Tweed Shire.

Moved: Russell Logan

Seconded: Jackie McDonald

RESOLVED that the Committee forwards Ms Gibbons a letter of thanks and that this project be referred to Tom Alletson Tweed Shire Council Waterways and Coast Coordinator.

Carried

---

Item from Meeting held Friday 3 September 2004

BA 7 Terms of Reference

Moved: Administrator Boyd

Seconded: Jackie McDonald

RESOLVED that the Committee defers the adoption of the Terms of Reference until Friday 2 March 2007 to allow for finalisation of amendments.

Carried

---

GENERAL BUSINESS:

GB 1 Ms Gerry Jones - Indigenous Business Australia

Ms Jones tabled information relating to Aboriginal and Torres Strait Islander people owning their own homes and establishing their own businesses. Their web site is [www.iba.gov.au](http://www.iba.gov.au) for more information.

---

GB 2. John Hausia - Department of Environment & Conservation

Mr Hausia tabled information relating to the Mooball National Park Draft Plan of Management. He advised the committee that he has been working closely with Mr Ian Fox and Mr Des Williams on the plan. Administrator Boyd suggested that Aboriginal people be employed within the Mooball National Park as they understand the land and culture of the local area. The committee suggested that Mr Hausia attend a meeting of the Tweed Byron Local Aboriginal Land Council and table the information.

---

GB 3. Korelle Hartley Project Officer Tweed Training & Enterprise Company Ltd (TTEC)

Ms Hartley advised the committee that the Tweed Shire Council and TTEC Youth Services proudly present "2007 Tweed Shire Youth Festival" Monday 16 April to Sunday 22 April 2007. Ms Hartley is currently organising Aboriginal and Torres Strait Islander participation for Sunday 22 April 2007, which is being held at the Chillingham Community Centre Family Day.

---

GB 4. Aboriginal Statement

Mr Corbett tabled a motion from the Council meeting held Tuesday 23 January 2007 that the words of the Aboriginal acknowledgement approved at the Council meeting held 6 July 2005 be referred to the Aboriginal Advisory Committee for consideration of members in view of a recent suggestion made by an Aboriginal person that the words "traditional owners" perhaps should be replaced by "original Custodians".

Discussion ensued with Mr Phillips suggesting that more community consultation be undertaken. The Committee are asked to provide comments to the meeting on Friday 2 March 2007.

---

GB 5. Eungella Property

Mr Corbett tabled information received from Mr Ian Fox with regards to naming of a privately owned property at Eungella. The five suggestions for naming are as follows: -

Gurubu Diman		"means "Long Ago Camp"
Gugun Ngumbin	"	"Bluefig House"
Gingli Jagun		"Quiet Ground or Land"
Mani Biyul		"Wallaby Hill or Mountain"
Bugalah		"in a good place"

Moved: Russell Logan

Seconded: Administrator Boyd

RESOLVED that a thank you letter be sent to the owner of the property in appreciation of their adherence to Aboriginal protocols and acknowledgement of respect in their request.

Carried

The property owner also requested a site visit by Mr Fox and Ms McDonald. If this occurs, an invitation will also be extended to site officers from Tweed Byron Land Council.

---

GB 6. Forum - Local Government Aboriginal Community Development Officers and Aboriginal Liaison Officers – Murwillumbah Civic Centre, 27-28 March 2007 –

Nominations were called for an Elder to perform a “Welcome to Country” at the Forum,

Moved: Maureen Logan

Seconded: Clarence Phillips

RESOLVED that Ms McDonald perform the “Welcome to Country”

Carried

---

GB 7. Heritage Plan

Discussion was undertaken in regard to the Bundjalung Mapping Project and how that Tweed Byron Local Aboriginal Land Council is the caretaker of the information, compiled by Mr Ian Fox. Administrator Boyd advised the committee that Ian Fox should be retained to completely map the entire shire.

Moved: Maureen Logan

Seconded: Jackie McDonald

RECOMMENDATION:

That Council retains the services of Mr Ian Fox to complete the mapping of the entire shire.

Carried

---

GB 8. Correspondence - Incoming

- Tweed Wollumbin Aboriginal Education Consultative Group - meeting dates
  - Magalie McDuffie – Australia Day Citizenship Ceremony Murwillumbah
  - Minister for Aboriginal Affairs, Reba Meagher MP – Nagarakwal Nganduwal Aboriginal
  - Moiety
  - Geoff Edwards Farewell Invitation
  - North Coast Regional Coordination Management Group (NCRCMG) Aboriginal Employment Strategy – Greg Watt Project Manager
- 

GB 9 Correspondence – Outgoing

NCRCMG Aboriginal Employment Strategy – General Manager Mike Rayner

NEXT MEETING:

The next meeting of Aboriginal Advisory Committee will be held on Friday 2 March 2007, at 10.00 am in the Activities Room, HACC Centre, Heffron Street, Tweed Heads South.

The meeting closed at 12.50pm

---

DIRECTOR'S COMMENTS:

- 1) That Council support the recommendation of the Aboriginal Advisory Committee to invite the NSW Geographic Names Board to undertake community consultation with relevant stakeholders to resolve the issue of the naming of Mt Wollumbin
- 2) That this item GB7 be referred to the Director Environment and Community Services for report to Council on costing, budget and method of engagement to complete the Aboriginal Heritage mapping on the entire Shire.

DIRECTOR'S RECOMMENDATIONS:

**BA 3. NSW Geographic Names Board**

That the Committee's resolution being:

***" that the Committee, with the support of the Tweed Shire Council, invites the NSW Geographic Names Board to visit and undertake public consultation to reach a conclusion to the renaming of the mountain previously carrying the name "Wollumbin" and that the McKenzie family be invited to attend."***

be amended to read:

***"That Council support the recommendation of the Aboriginal Advisory Committee to invite the NSW Geographic Names Board to undertake community consultation with relevant stakeholders to resolve the issue of the naming of Mt Wollumbin."***

**GB 7. Heritage Plan**

That the Committee's recommendation being:

***"That Council retains the services of Mr Ian Fox to complete the mapping of the entire shire."***

be amended to read:

***"That the Heritage Plan be referred to the Director Environment and Community Services for report to Council on costing, budget and method of engagement to complete the Aboriginal Heritage mapping on the entire Shire."***

---

THIS  
PAGE  
IS  
BLANK

THIS  
PAGE  
IS  
BLANK



**2 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 15 February 2007**

VENUE:

Peter Border Room

TIME:

Commencing at 9.00am.

PRESENT:

Committee Members: Mike Baldwin, Roads and Traffic Authority; Eric Fleming, 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 14 December 2006 were tabled at the meeting and accepted by the Committee as a true and accurate record of the proceedings.

BUSINESS ARISING:

From Meeting Held 14 December 2006

7. Wintersun Festival Parade - Tweed Heads

DW1505759; Street - Marches / Parades; Festival - Wintersun; Local Area Traffic Management; Road Closures - Temporary; SN:153; 515; 1422

*"Request received for the Wintersun Annual Car Rally street parade on 9 June 2007.*

*The proposed route is along Boundary Street from the park, turn left into Wharf Street, proceed to Frances Street to the roundabout then back along Wharf Street to Griffith Street. The parade will then traverse the streets of Coolangatta, re-enter Tweed Heads at Boundary Street and end at the park.*

*The parade is proposed to commence at 11:00am and take approximately 45 minutes.*

*Council and Police Officers are meeting with the Wintersun Organising Committee on the 21 December 2006 and this matter will be discussed there.*

*This item to be deferred to the February 2007 Local Traffic Committee Meeting.*

*For Council's information."*

Mr Newell queried why the street parade had been cancelled. The Committee noted that Gold Coast City Council normally handles the traffic control for this event and this year had advised the organisers that the festival would need double the number of traffic controllers. This was an extra cost to the Wintersun Festival. It was also noted that parking was an issue this year as Gold Coast City Council had banned the use of parkland for car parking, which would require traffic management. It appears the organiser abandoned the parade due to these issues.

For Council's information.

---

GENERAL BUSINESS:

PART A

1. Phillip Street and Waugh Street Chinderah  
DW1516047; Traffic - Safety; Local Area Traffic Management; SN: 1029; 1415; Tree -  
Removal/Lopping

Request received for a full assessment of the merging traffic from Phillip Street onto (eastbound) Waugh Street, Chinderah.

It is reported that substantial traffic from Kingscliff and the Tweed Coast use the Phillip Street connection onto Waugh Street in order to head onto the Pacific Highway heading north. The intersection has a 'Give Way' sign facing the Phillip Street traffic.

The Committee considered the request and noted that there is no crash history at the intersection. Trimming and pruning of trees near the intersection has been completed and sight distance in both directions is satisfactory. It was not considered that replacing the 'Give Way' sign with a 'Stop' sign would be beneficial. It was suggested that Solo Waste request their drivers drive with care in this location given their knowledge of the reported problem.

For Council's information.

---

2. Sunnyside Shopping Centre Car Park  
DW1524426; 1529398; Traffic - Parking Zones; Car Parks - Murwillumbah; Wollumbin  
Street; Pty: 18579; SN: 1435

Request received regarding the patrolled parking scheme within the shopping centre car park for a vehicle to be excluded from patrolled parking.

---

It is considered that exemptions for individual vehicles are difficult to manage and may lead to precedents for other shop keepers. It is suggested that a suitable parking space be located in the loading dock area or a space can be designated close to the shop and the 2 hour parking be removed at the expense of the shopping centre. Council would therefore be unable to enforce any restrictions on that space and anyone could park in it if it were vacant. The Committee requested the applicant be advised accordingly so a decision can be made.

For Council's information.

---

3. Riverside Drive, Tumbulgum  
Riverside Drive; DW 1529188; Traffic - Safety; Directional Signs; Speed Zones; SN: 1124

Request received regarding speeding traffic on Riverside Drive especially at weekends since the road and kerb and guttering has been upgraded. Traffic calming devices or speed limit signs have been requested.

The Committee requested that the speed limit signs on the entry to the village be investigated and a speed count survey be undertaken and submitted to the Police for their consideration.

For Council's information.

---

4. Byangum Road, Murwillumbah  
Byangum Road; DW1529061; Traffic - Safety; Directional Signs; Speed Zones; Access to Property - Driveways; Pty: 2511; SN: 196; Police

Request received regarding speeding traffic especially with the narrowness and curves of the road making excessive speeding a concern. It is also reported that a number of driveways are obscured from the view of drivers on Byangum Road driving into Murwillumbah making it difficult for residents to get in and out of their driveways safely.

Request received for:-

- Clear speed limit signage
- Police monitoring
- Traffic calming devices
- Pedestrian crossings or islands
- Installation of further 'concealed driveway' signage on Byangum Road especially on the side leading into town before the corners at either end of the ridge-top where vehicles are reported to speed
- Planning for the longer term including an alternative road into town

The Committee acknowledged that additional repeater 50kph signage may be warranted on Byangum Road and suitable locations should be investigated.

---

The Police advised that they undertake regular enforcement on Byangum Road and will continue to do so as resources permit. Traffic calming devices are not considered for arterial roads as they generate noise, especially at night.

Pedestrian crossings and refuges need to comply with strict criteria and refuges are already provided in locations where these criteria can be met.

Council has adopted a new road link from Joshua Street travelling on the western boundary of town linking up to Cane Road to provide an alternative traffic route to Byangum Road and development contribution plans are being upgraded to enable this project to be funded.

The provision of additional 'Concealed Driveway' warning signs will be investigated and installed if required.

For Council's information.

---

5. Recreation Street, Tweed Heads

Recreation Street; DW1529062; LN: 72513; Traffic - Safety; Parking - Illegal; SN: 1096;  
Ppty: 14597

Request received in relation to a large parked vehicle on Recreation Street near the Florence Street end which makes it impossible to see oncoming traffic or pedestrians on the footpath when exiting the driveway of 8 Recreation Street.

It is suggested that 2 hour parking along the residential side of Recreation Street would alleviate this situation.

The Committee noted that technically the vehicle is entitled to park in this area however if the driver was to park adjacent to the Recreation Street Oval the problem would be addressed. To avoid the need for regulatory signage to prohibit this vehicle from parking in Recreation Street it is considered preferable to advise the owner of the vehicle that due to sight distance problems for vehicles exiting adjacent driveways, the vehicle should be parked on the opposite side of the road.

For Council's information.

---

6. Bay Street, Tweed Heads

Bay Street, SN:90; Bus Zones; Parking - Zones; DW 1529931; Pollution - Noise;  
Pollution - Air; Bus Services - Stop

Request received in relation to the increasing number of Surfside buses parking in Bay Street. The main issues are reported as follows:-

- Bus parking in an unsafe manner
-

- Buses partially blocking roadway, other thoroughfares and the driveway entrance into Seascap
- Constant running of engines at all hours, despite buses being parked
- Fumes and noise pollution at all hours
- Unsafe bus driving practices (turns, driving on footpaths, parking etc)
- Excessive numbers of buses now using Bay Street causing congestion, narrowing of roadway, unsafe passing and driving conditions
- Lack of designated 'Bus Parking Only' parking bays
- Early hours of the morning activities - sweeping the car park, collection and transport of shopping trolleys and removal of rubbish

It is suggested that there are several larger parking areas at the western end of Bay Street where buses intending to enter the eastern end of Bay Street could wait without disruption to traffic and residents with no need for there to be more than one bus at any given time.

The Committee noted there are an increasing number of complaints regarding the operations of Surfside Buslines throughout the shire and to avoid the need to introduce regulatory signage at various locations it was decided that the Committee should invite representatives of Surfside to attend the next Local Traffic Committee meeting to allow the issues to be discussed. A representative from the Ministry of Transport will be invited to the same meeting.

For Council's information.

---

7. Recreation Street and Charles Street, Tweed Heads

Recreation Street; Charles Street; Safety; Speed Zones; Parking Zones; DW1524952; Parking - Illegal; SN: 1096; SN: 249

Request received in relation to speed of traffic and parking control measures in Recreation Street and Charles Street, Tweed Heads.

It is reported that parking in Recreation Street is a problem particularly between the Court House, Steep Street, Brett Street and Park Street which is worse on Court days. It is suggested that parking signs are necessary to prevent vehicles parking too close to corners. It is also reported that traffic exceeds the speed limit, particularly near the Cooloon Child Care Centre which people picking up children in unsafe areas.

In Charles Street vehicles travel above the speed limit and as the road is narrow and vehicles park on the side of the road and footpath it creates an undesirable situation especial during normal working hours.

The Committee noted the concerns raised and requested that centre lines and edge lines be installed on Recreation Street to control the extent of parallel parking in Recreation Street. Police advise that enforcement is undertaken as resources permit. The issue of illegal parking on the footpaths in the area should be referred to the Rangers for enforcement.

For Council's information.

---

8. RTA Guide to the Delegation to Councils for Regulation of Traffic  
Traffic - Committee; DW1537229; RTA Circulars

For discussion. The RTA Representative advised the Committee of the new directions which are to be implemented as soon as possible. All RTA staff are to be trained in the guidelines and senior staff will provide an overview to Council staff such as delegated authorities to Councils. There will be 3 main parts to Local Traffic Committee meetings as well as development assessment comments:

1. Delegations for Regulatory devices (including Recommendations)
2. Events
3. For Information Items
4. Development Assessment Comments

Voting by the Committee will be recorded and a formal process is to be instituted for items not endorsed by Council.

The RTA Guide to the Delegation to Councils for Regulation of Traffic can be found at DataWorks 1537229.

The new document will need to be adopted when the above training is completed and confirmed by the Roads & Traffic Authority.

For Council's information.

---

9. Brett and Powell Streets, Tweed Heads  
DW1536728; Parking Zones; Brett Street; Powell Street; SN: 167; 1062

Request received for restricted 1 or 2 hour parking signage at the corner of Brett and Powell Streets, Tweed Heads in the access area near the entrance to the garage to the Albert Gardens building due to people parking in this area all day.

The Committee noted that Council is currently undertaking a car parking study for the precinct and the study will make recommendations to Council as to how parking should be managed in that precinct. It is expected that the report will be considered by Council in late April.

For Council's information.

---

10. Wardrop Lane, Murwillumbah

DW1540562; Wardrop Lane; Pty: 18241; Access to Pty - Driveways; Parking Zones

Request received for one way traffic flow in Wardrop Lane from Greville Street to Stafford Street (south to north). This is due to many parked vehicles making access into properties difficult.

The Committee noted that further investigation is required. To be deferred to the March meeting of the Local Traffic Committee.

For Council's information.

---

11. Nullum Street, Murwillumbah

DW1539827; Traffic - School Zones; Nullum Street; Sathya Sai Primary; SN: 888

Request received for extension of the bus zone on Nullum Street adjacent to Sathya Sai School. The school has grown and there is now a need for two buses to be parked and they have been double parking in the interim.

The Committee unanimously supported this proposal.

RECOMMENDATION:

That the bus zone on the southern side of Nullum Street adjacent to the Sathya Sai School be extended.

---

12. Main Street, Murwillumbah

Murwillumbah Street; DW1538156; Bus Stops; Parking Zones; SN: 857

Request received for reinstatement of the loading zone in the current bus zone on Main Street. A drop off zone is required for heavy goods at the front of the dry cleaning shop as the long distant buses now use the stop in Wollumbin Street, enabling travellers to use the toilets near the National Parks & Wildlife Centre.

Council has recently considered a report on car parking in the Murwillumbah CBD and part of the resolution is to investigate car parking management in consultation with the Chamber of Commerce and this item will be included for discussion.

For Council's information.

---

13. Sunnyside Shopping Centre

Wollumbin Street; Parking – Zones; Disabled Matters; SN: 1435

Council's Regulatory Services have advised that signage has been installed in the shopping centre car park to the appropriate standard for the disabled bays, for the 5 minute parking areas and for 'No Stopping' zones and they are requesting Council endorsement of these signs to enable enforcement.

RECOMMENDATION:

That Council endorse the disabled bay parking areas, the 5 minute parking areas and 'No Stopping' zones in the under cover parking area of Sunnyside Shopping Centre.

---

14. Proudfoots Lane, Murwillumbah

Pedestrian – Safety; Parking - Zones; SN: 1978

Late Agenda item. Leigh Abernethy addressed the Local Traffic Committee on the proposed Proudfoots Lane shared zone between Commercial Road and Brisbane Street.

The Brisbane Street end of the road is proposed to be resurfaced together with a raised platform calming device. Reducing the crown of the road will make the pavement more pedestrian friendly. The Commercial Road end will be resurfaced and have a raised pedestrian entry. The pedestrian footpaths will be connected to the through-ways.

The majority of the work will be done in the widest part of the road and where possible angle parking will be provided. In this area it is proposed to narrow the roadway to 5m which will cater for semi trailers and garbage trucks as well as ensuring that loading zones are catered for as they currently stand. The existing crossovers and kerb alignment is being kept.

The planted areas are being split into 2. The trees from the car park/pool upgrade will be relocated to Proudfoots Lane. Timber decking with seats will be under the trees and will be accessible for wheelchairs and prams. A red line painted will denote 'No Parking'. Overall, parking has been reduced by 5 car parking spaces. Public art will be utilised in certain areas.

The RTA Representative stated that shared zones should not look like a 'road' by using coloured asphalt and the Shared Zone supported by signage. The proposal should be discussed with Council's Access Committee.

Mr Newell requested what provision for street lighting improvements should be incorporated and was advised that this was being built into the budget.

Construction is scheduled to start late March. Leigh requested any additional comments be given to her as soon as possible.

---



PART B

1. Development Application - Six Storey Apartment Building - 38 Units at Lot 24, 25, 26 Section 5 DP 4043, No. 36, 38 and 40 Enid Street, Tweed Heads  
DA06/0477 Pt1; Enid Street; Local Traffic Committee; Proclaim - Development Applications; SN: 463; Pty: 5835; 5836; 5837

Request received for Local Traffic Committee comment in accordance with the provisions of State Environmental Planning Policy No. 11 (SEPP 11) - Traffic Generating Developments under Schedule 2 (q) for a six storey apartment building comprising 38 units and 57 car parks.

Schedule 2 (q) reads:-

*"areas used exclusively for parking or any other development, in each case having ancillary accommodation for 50 or more motor vehicles, or the enlargement or extension of a parking area where the enlargement or extension accommodates 50 or more motor vehicles".*

Local Traffic Committee comments are requested on:

1. Capacity for the adjoining road network to cater for this development; and
2. Adequacy of the proposed basement and access to the site.

The Committee viewed plans of the development and noted anomalies between the Landscape Plan and the Ground Floor Plan and requests the Development Assessment Unit to clarify which is correct. Clarification should be sought on how refuse is going to be collected from the site and demonstrate how this can be done on site without the need for the truck to reverse out of the driveway. Clarification is also sought on the proposed use of accommodation type and if it is casual accommodation off street parking for guest check-in needs to be considered.

- 
2. Development Application - Demolition of 5 Existing Dwellings and Erection of a Residential Aged Care Facility at Lot 87, 86, 79, 80, 88 DP 237806, No 8 Florence Place, No. 9 Florence Place, Tweed Heads, No. 3 Powell Street, No 5 Powell Street, Tweed Heads, No. 7 Florence Place, Tweed Heads  
DW1538734; DA06/1262 Pt3; Traffic - Committee; Florence Place, Powell Street; SN: 506; 1062; Pty: 6270, 6271, 6272

The above application proposes a 120 bedroom aged care facility. It is referred to the Local Traffic Committee for comment as the proposal is identified within Schedule 2 (clause 7 (4) (a)) of State Environmental Planning Policy No. 11 - Traffic Generating Developments, being:-

- (a) *the erection of, or the conversion of a building into a residential flat building comprising 75 or more dwellings or the enlargement or extension of a residential flat building by the addition of 75 or more dwellings.*

Plans of the development were viewed by the Committee. The Committee was advised that the provision of on-site parking was well below Council's requirements specified in DCP 2 but that the State Environmental Planning Policy for Seniors Living, which requires substantially less car parking had been complied with. The problem of inadequate on-site parking and the subsequent impact on street car parking was noted especially in the Hospital/Civic Centre precinct. Mr Newell requested that Council formally write to him highlighting the concerns that the Seniors Living SEPP is creating in regard to car parking in the Florence Street area noting the already shortage of on street parking in the area.

---

3. Coral Street, Tweed Heads

DA07/0114 Pt1; DW1539828; Parking Zones; Local Area Traffic Management; Coral Street; Festivals - Other; Pty: 75810; Concerts Parks - John Follent; SN: 336

Application received for the use of the park at Lot 7033 DP 1053088, Coral Street, Tweed Heads for the purpose of a music concert on 3 March 2007.

Local Traffic Committee comments are sought in relation to traffic and parking issues.

The Committee viewed plans for traffic and pedestrian management. The Committee requested the Traffic Management Plan be amended to make Coral Street one way northbound from the parking overflow area to Enid Street. An additional marshall would be required at the Enid Street intersection with Coral Street. Temporary lighting was also identified as being required from the festival site back to the main parking area.

---

4. Development Application - Mixed Use Retail and Commercial Development (DOP MP06-207) at Lot A, B DP 373378, No. 75 Wharf Street, Tweed Heads; No. 77 Wharf Street, Tweed Heads

DA06/1265 Pt1; DW1539826; Traffic - Committee; Wharf Street; SN: 1422; Pty: 12500

Request received for Local Traffic Committee comments in relation to the above development application. Plans of the development were viewed by the Committee.

1. The on street loading zone is not supported by the Traffic Committee as new developments should be required to provide these facilities on site in accordance with Council's Development Control Plan No. 2.
2. The Committee was concerned as to how refuse was to be removed from the site without the collection truck having to reverse over the footpath.

3. The site triangle required by AS 2890 needs to be provided on site adjacent to the driveway. The plans are to be amended to show how this is achieved.
- 

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 15 March 2007 in the Peter Border Room commencing at 9.00am.

The meeting closed at 1:00pm.

DIRECTOR'S COMMENTS:

Nil.

**DIRECTOR'S RECOMMENDATIONS:**

11. **Nullum Street, Murwillumbah**  
DW1539827; Traffic - School Zones; Nullum Street; Sathya Sai Primary; SN: 888

As per Committee's recommendation being:

*"That the bus zone on the southern side of Nullum Street adjacent to the Sathya Sai School be extended."*

13. **Sunnyside Shopping Centre**  
Wollumbin Street; Parking – Zones; Disabled Matters; SN: 1435

As per Committee's recommendation being:

*"That Council endorses the disabled bay parking areas, the 5 minute parking areas and 'No Stopping' zones in the under cover parking area of Sunnyside Shopping Centre."*

---

THIS  
PAGE  
IS  
BLANK

THIS  
PAGE  
IS  
BLANK

**ORDERS OF THE DAY**

**1 [NOM] Reafforestation Scheme for Tweed Shire**

**NOTICE OF MOTION:**

Administrator Boyd moves:

That Council considers introducing a reafforestation scheme similar to the one which operated in the Tweed and Brunswick catchments from 1977-1997 and which resulted in the planting of 1.6 million seedlings on private and public land.

---

**2 [NOM] Purchase of Energy**

**NOTICE OF MOTION:**

Administrator Boyd moves:

That a report be brought forward which includes:-

- a) The current total cost to Tweed Shire Council for the purchase of energy.
  - b) What steps have or could be taken to reduce the cost.
  - c) What it would cost Council to purchase all the green power generated by the co-generation plant at Condong.
-

THIS  
PAGE  
IS  
BLANK

THIS  
PAGE  
IS  
BLANK

## CONFIDENTIAL ITEMS FOR CONSIDERATION

### REPORTS FROM THE DIRECTOR ENGINEERING AND OPERATIONS

- 1 [EO-CM] Land Development & Disposal of Council Land to Facilitate Commercial and Community Opportunities - Tweed Heads, Bogangar and Murwillumbah

#### REASON FOR CONFIDENTIALITY:

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

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

- 2 [EO-CM] EC2006-160 Extensions to Murwillumbah Civic Centre

#### REASON FOR CONFIDENTIALITY:

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

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

**REPORTS FROM THE DIRECTOR ENVIRONMENT & COMMUNITY SERVICES**

**3 [EC-CM] Structures Placed Without the Prior Approval of Council - Site 92 Tweed River Hacienda Holiday Park**

**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





