

TWEED SHIRE COUNCIL MEETING TASK SHEET

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Action Item - COUNCIL MEETING Tuesday, 20 September 2011

Action is required for Item **34** as per the Council Resolution outlined below.

TITLE: [EO-CM] Review of Classified Road Network in Tweed Shire and Section 94 Implications

Cr K Skinner
Cr W Polglase

RESOLVED that:

1. For the purpose of Road Classification, Council requests the NSW Government and Roads and Traffic Authority to
 - (a) Recognise the Lower Tweed/Tweed Coast as part of the Gold Coast Tweed, "major urban centre" (2008 population 558,900).
 - (b) Amend the definition of State Road network to:

Definition
The State Road network (including the Auslink network) is formed by the primary network of principal traffic carrying and linking routes for the movement of people and goods within the major urban centres of Sydney, Newcastle, Wollongong, Central Coast and Tweed, and throughout the State.
 - (c) Amend the definition of Regional Road Network to:

Definition
Regional Roads comprise the secondary network which together with State Roads provide for travel between smaller towns and districts and perform a sub arterial function within major urban centres of Sydney, Newcastle, Wollongong, Central Coast and Tweed.
2. The NSW Government be requested to direct the Roads and Traffic Authority to urgently review road classifications in Tweed Shire, based on Tweed Shire being recognised as a "major urban centre".

3. Upon reclassification, the NSW Government, through the Roads and Traffic Authority, be requested to provide appropriate funding for reclassified State and Regional Roads within Tweed Shire.
4. Council advises the NSW Roads and Traffic Authority that it declines handover of "Sexton Hill Drive" as a "Local Road" on completion of the Banora Point Upgrade and request that given its status as an urban arterial road, that it remain classified as a "State Road".
5. When the next state wide road classification review is conducted by the Roads and Traffic Authority, Council seeks reclassification of the Tweed Valley Way to State Road.
6. Council seeks support of the Minister for Roads and Minister for Planning to establish a "Tweed Urban Growth Areas, Arterial Road Steering Committee" consisting of representatives of the Roads and Traffic Authority, Department of Planning and Infrastructure and Council to strategically plan, identify, classify, determine standards, determine staging, source funding and oversee construction of classified roads needed to service Tweed Shire urban growth areas.
7. Council requests the support of the Minister for the North Coast, Don Page and local State Members of Parliament, Thomas George and Geoff Provest to progress the above proposals.

The Motion was **Carried**

FOR VOTE - Unanimous

Agenda Report

TITLE: [EO-CM] Review of Classified Road Network in Tweed Shire and Section 94 Implications

ORIGIN:

Director Engineering and Operations

SUMMARY OF REPORT:

The NSW Roads and Traffic Authority (RTA) classifies roads in NSW into State Roads, Regional Roads and Local Roads. The RTA is responsible for funding and management of State Roads. Councils are responsible for management of Regional Roads, but the RTA provides Councils with Regional Roads an annual "Block Grant" for cost of Regional Road maintenance and provides 50% "Repair Grants" on a competitive basis to Councils for their rehabilitation and minor upgrading. Local Roads are managed and funded by Councils.

The RTA classifies arterial and sub arterial roads **within** "major urban centres" (over 100,000 population) as State and Regional Roads. Outside "urban areas" the RTA only classifies arterial and sub arterial roads **between** centres as State and Regional Roads. The RTA has defined Sydney, Newcastle, Wollongong and the NSW Central Coast (Gosford and Wyong local government areas) as "major urban centres" and accordingly their internal arterial/sub arterial roads are classified as State and Regional Roads. In Tweed Shire, arterial/sub arterial roads within our urban areas are not eligible for these classifications because Tweed Shire is not considered by the RTA to be an "major urban centre" (of over 100,000). However, the ABS recognise Gold Coast Tweed as a contiguous urban centre and in 2008 estimated its population at 558,900.

It is proposed to seek RTA recognition that the Lower Tweed and Tweed Coast, being a part of the Gold Coast Tweed Urban area, are part of a "major urban centre" and therefore arterial and sub arterial roads **within** the Tweed urban area should be classified accordingly as State and Regional Roads and be funded by the NSW Government.

In Tweed Shire, Council has funded expansion of the arterial road network to service urban growth through Section 94 developer contributions. The Section 94 process is proving incapable of providing sufficient funds to construct these roads. The urgently needed upgrade of Kennedy Drive is an example of a project being delayed because of the funding requirements of the Kirkwood Road interchange and connection to Minjungbal Drive. Reclassification of Tweed's urban arterial/sub arterial roads to State and Regional Road status would result in additional funding becoming available from the NSW Government to facilitate more timely construction of the arterial road network.

RECOMMENDATION:

That:

1. **For the purpose of Road Classification, Council requests the NSW Government and Roads and Traffic Authority to**

- (a) Recognise the Lower Tweed/Tweed Coast as part of the Gold Coast Tweed, "major urban centre" (2008 population 558,900).
 - (b) Amend the definition of State Road network to:
Definition
The State Road network (including the Auslink network) is formed by the primary network of principal traffic carrying and linking routes for the movement of people and goods within the major urban centres of Sydney, Newcastle, Wollongong, Central Coast and Tweed, and throughout the State.
 - (c) Amend the definition of Regional Road Network to:
Definition
Regional Roads comprise the secondary network which together with State Roads provide for travel between smaller towns and districts and perform a sub arterial function within major urban centres of Sydney, Newcastle, Wollongong, Central Coast and Tweed.
2. The NSW Government be requested to direct the Roads and Traffic Authority to urgently review road classifications in Tweed Shire, based on Tweed Shire being recognised as a "major urban centre".
 3. Upon reclassification, the NSW Government, through the Roads and Traffic Authority, be requested to provide appropriate funding for reclassified State and Regional Roads within Tweed Shire.
 4. Council advise the NSW Roads and Traffic Authority that it declines handover of "Sexton Hill Drive" as a "Local Road" on completion of the Banora Point Upgrade and request that given its status as an urban arterial road, that it remain classified as a "State Road".
 5. When the next state wide road classification review is conducted by the Roads and Traffic Authority, Council seek reclassification of the Tweed Valley Way to State Road.
 6. Council seek support of the Minister for Roads and Minister for Planning to establish a "Tweed Urban Growth Areas, Arterial Road Steering Committee" consisting of representatives of the Roads and Traffic Authority, Department of Planning and Infrastructure and Council to strategically plan, identify, classify, determine standards, determine staging, source funding and oversee construction of classified roads needed to service Tweed Shire urban growth areas.
 7. Council request the support of the Minister for the North Coast, Don Page and local State Members of Parliament, Thomas George and Geoff Provest to progress the above proposals.

REPORT:**1. Classified Roads**

For management purposes, NSW roads are classified into three main classes:

Classified Roads	Description	Responsibility and Funding
State Roads	<ul style="list-style-type: none"> • Major arterial links throughout NSW and within major urban areas. • Principle traffic carrying and linking routes for the movement of people and goods within the Sydney, Newcastle, Wollongong and Central Coast urban areas • Connect between these urban centres, the major regional towns, the major regions of the State and the major connections interstate. 	<ul style="list-style-type: none"> • Managed, regulated and funded by RTA
Regional Roads	<ul style="list-style-type: none"> • Secondary importance between State Roads and Local Roads • Provide the main connections to and between smaller towns and • Perform a sub arterial function in major urban areas 	<ul style="list-style-type: none"> • Responsibility of councils to fund, and determine priorities for works • Receive annual "Block Grants" from RTA for maintenance • Eligible for competitive 50% funding from "Repair Program" from RTA for specific maintenance and construction works
Non Classified Roads		
Local Roads	<ul style="list-style-type: none"> • Remaining roads • Provide for local circulation and access 	<ul style="list-style-type: none"> • Responsibility of councils to fund, and determine priorities for works

The classified roads in Tweed Shire are:

State Roads

Pacific Highway,
Gold Coast Highway, Tugun Bypass to Qld border

Regional Roads

Main Road 142, Kyogle - Murwillumbah Rd from Lismore City Boundary to Tweed Valley Way at Murwillumbah

Main Road 141, Kyogle - Murwillumbah Rd from Kyogle Shire Boundary to MR142 (Lismore turnoff)

Main Road 143, Tomewin Rd from Murwillumbah to Qld border

Main Road 399, Numinbah Rd from Kynnumboon Bridge to Queensland border

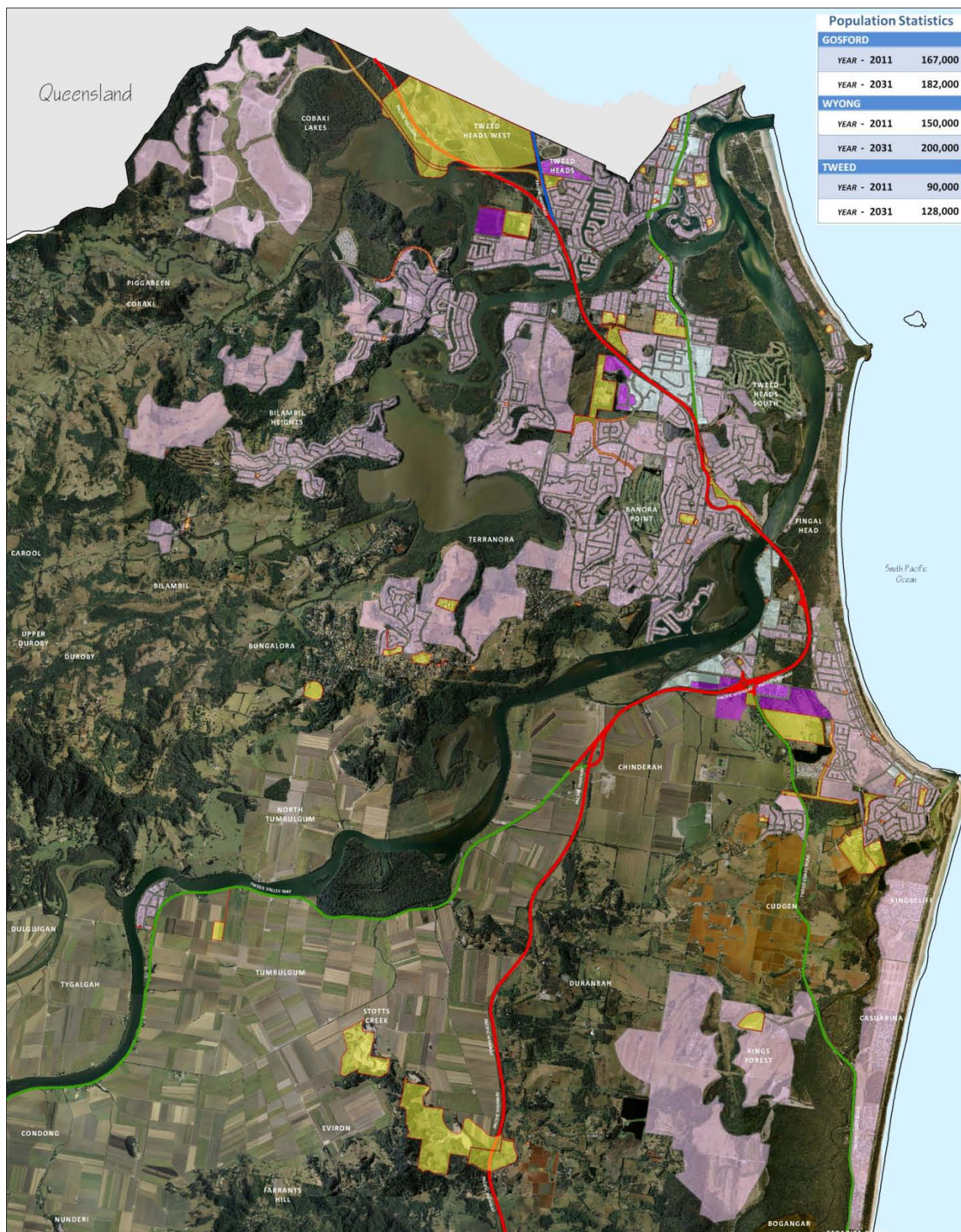
Main Road 450, Tweed Coast Rd/Coronation Ave/Pottsville Rd/Cudgera Creek Rd from Chinderah interchange to Cudgera Creek Rd Interchange

Main Road 679, Tweed Valley Way
Regional Road 7733, Minjungbal Drive/Wharf Street

The classification of roads in Tweed Shire has historically been based on the notion that Tweed is a rural area and both the State Road and Regional Roads have had the function of providing connections to major urban areas and smaller towns.

There is a different set of rules for "urban areas", defined by the RTA as "Sydney, Newcastle, Wollongong and Central Coast (Gosford/Wyong)". Within these "urban areas", the major urban arterial roads are designated as State Roads and sub-arterial roads are defined as Regional Roads. As a result all intra urban roads in these areas are RTA funded.

In Tweed Shire apart from Minjungbal Dr/Wharf St, none of our other intra urban roads are RTA funded because Tweed Shire is not considered to be an "urban area".



Population Statistics	
GOSFORD	
YEAR - 2011	167,000
YEAR - 2031	182,000
WYONG	
YEAR - 2011	150,000
YEAR - 2031	200,000
TWEED	
YEAR - 2011	90,000
YEAR - 2031	128,000

CLASSIFIED ROADS 2011

TWEED LOCAL ENVIRONMENTAL PLAN 2000 - EXTRACT

RESIDENTIAL ZONING
BUSINESS ZONING
INDUSTRIAL ZONING
SPECIAL USES ZONING

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RTA CLASSIFICATIONS

AUSLINK REGIONAL STATE

0 0.5 1 1.5 Kilometers
1:35,000 @ A4 Portrait
DO NOT SCALE
COPY ONLY - NOT CERTIFIED

SOURCE: Aerial imagery taken October 2009 by
Fugro Spatial Pty Ltd.
Aerial photography can be purchased online from:
Fugro Spatial Pty Ltd. at:
<http://www2.fugrospatial.com/>

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2. Road Classification Review and Definition of Urban Area

2.1 Results of Review

Between 2003 and 2007 the Roads and Traffic Authority conducted a review of the classification of State and Regional Roads. The "NSW Road Classification Review - Review Panel Final Report" was issued in August 2007 and made a number of conclusions and recommendations including:

"The current review has sought to be funding neutral and consider marginal rather than wholesale change to the network. This principle has meant that the Panel has adopted a tight interpretation of the classification guidelines and has limited the number of new Regional Roads it is recommending. This should allow the overall level of funding to Local Government to be at least maintained, although inevitably there will be some redistribution of the available funding between individual councils."

The Review recommended classification changes to 170 sections comprising 1,388 km of road. This included one change in Tweed Shire. MR541 (Terranora Road) from Pacific Highway Banora Point to Tweed Valley Way at Tumbulgum, 12.2km was declassified from Regional Road to Local Road. The reason given for the declassification of MR541 was that it did not comply with the criteria for Regional Road.

2.2 Classified Road Definitions

2.21 Legislation and Management Arrangements

The following is an extract from the website "Ozroads" that explains this issue.

"At the present time, New South Wales has two different systems for classifying roads, one which is a legal framework and one that is used purely for funding and responsibility allocation."

The legal system of classified roads is controlled under the Roads Act 1993, which divides classified roads into the following categories:

- Freeway
- State Highway
- Main Road
- Tourist Road
- Secondary Road

The process of classifying a road into one of these categories is by way of publishing a declaration (also referred to proclamation) in the New South Wales Government Gazette. Once the Government Gazette has been published, the declaration takes effect (unless a different commencement date is specified). This process is thus also referred to as "gazettal".

However, whilst this is the legal framework for classifying roads in New South Wales, management of the classified roads is done under a different system. The Roads Act 1993, which administers the Freeway, State Highway, Main Road, Tourist Road and Secondary Road classifications, does not specify funding or management arrangements for each classification. Instead, all classified roads are then categorised into three management categories:

- State Roads
- Regional Roads
- Local Roads "

It is under this "management" process that the State Government, through the RTA classifies roads as State or Regional Roads and directs funding to these road categories.

2.22 Classified Road Definitions

The 2007 "NSW Road Classification Review - Review Panel Final Report" Appendix A has adopted the following definitions:

"APPENDIX A

Road Classification Criteria

State Roads

(For the purpose of these guidelines, the roads identified under Federal Government legislation as forming the Auslink network are considered part of the State Road network). It is envisaged that the State Road network will be managed in a way that the roads will generally exhibit

- *the following characteristics:*
- *Form a critical network link - closure to through traffic is not an option*
- *Priority to safety and efficiency of through traffic movement*
- *High flows of general traffic over long distances and high capacity relative to surrounding roads*
- *Continuous and regularly spaced in relation to traffic generating density*
- *Access to property and on street parking restricted as far as practicable*
- *Access available to all general access vehicle types as far as practicable.*

Definition

The State Road network (including the Auslink network) is formed by the primary network of principal traffic carrying and linking routes for the movement of people and goods within the urban centres of Sydney, Newcastle, Wollongong and Central Coast, and throughout the State.

Criteria

A road may be a State Road if its primary function meets at least one of the following criteria:

1. ***Links major commercial, industrial and residential areas and distribution centres and ports within the Sydney, Newcastle, Wollongong and Central Coast urban centres***
 - *Urban centres as defined by the Australian Bureau of Statistics and*
 - *Primary through traffic route carrying significant volumes of traffic, or*
 - *Major public transport corridor, or*
 - *Major freight corridors, or*
 - *Connection between major rural arterials and major ports, freight terminals and distribution centres, or*
 - *Significant and essential supplementary route for through traffic parallel to a primary route as defined by the above, in critical, strategic locations only.*

2a. Links major NSW towns with the Sydney, Newcastle, Central Coast and Wollongong urban centres

2b. Links these major NSW towns with each other where there is significant interaction.

- Major towns population generally in the range 10,000 to 100,000 but may include slightly smaller centres which provide a wide range of commercial, community and administrative functions to an extensive hinterland and
- Primary route exhibiting best operational features and an intention to manage as the major route, and
- Significant economic and social interaction exhibited.
- Generally carry a minimum AADT greater than 1000, or at least greater than 500 and growing at a faster rate than on surrounding roads.
- May include cross border links to interstate major centres.

3. Links major regions throughout the State with each other

- Provides a long distance connection between regions not already provided for in the network defined by the above criteria or "missing links" that complete long distance connections between the network already defined by the above, and
- Sustains a high flow of general traffic (generally AADT greater than 500) over long distances (100km), or
- Significant long distance freight or coach route.
- May include cross border links to interstate regions.

Regional Roads

Definition

Regional Roads comprise the secondary network which together with State Roads provide for travel between smaller towns and districts and perform a sub arterial function within major urban centres.

Criteria

A road may be a Regional Road if its primary function meets at least one of the following Criteria:

1. Links smaller towns with the State Road network
2. Connects smaller towns with each other
3. Performs a sub arterial function in major urban centres by:
 - Supplementing the State Road network for significant intra-urban flows
 - Providing access for significant flows to other commercial and industrial centres
4. Provides access from the State Road network to major recreation and tourist areas of State significance
5. Provides a town or suburban centre relief route for significant flows of through traffic, especially freight vehicles
6. Provides access for significant flows of freight vehicles to major rural intermodal interchanges and urban distribution areas."

Extract from the Review Section 2.6.11 Population Centres

"The Panel adopted the following definitions as a guide and sought to take account of the importance of the centres as service centres supporting a surrounding rural area with a range of goods and services:

- Major urban centres were those with a population of 100,000 or more as defined by the Bureau of Statistics, namely Sydney, Newcastle, Wollongong and Central Coast.
- Regional centres / provincial cities being those with populations of 10,000 or more and which had a broad economic base as a service centre to their hinterland.

- *Population centres / smaller towns were defined as Coastal strip: resident populations greater than 2000 Tablelands and slopes: populations greater than 1000 Far West (generally west of the Newell Highway): greater than 500."*

Part of the problem with the RTA's adoption of the ABS "Major Urban Centre" definition is that within the ABS classification system, this definition applies to urban areas of 100,000 or more population within each state. It therefore does not count Gold Coast Tweed as a major urban centre as it is only part within NSW.

2.3 Impact of "Urban Area" Definition.

As Sydney, Newcastle, Wollongong and Central Coast are defined as "major urban centres", arterial and sub arterial roads within their urban areas are eligible for classification and funding as State and Regional Roads.

As Tweed is not defined as a "major urban centre", arterial and sub arterial roads within the Lower Tweed and Tweed Coast urban areas are not eligible for classification and funding as State and Regional Roads. The only roads that are eligible within Tweed Shire, apart from the Pacific and Gold Coast Highways, are those roads that connect between centres and/or to the Classified Road system.

The Classification Review adopted 100,000 persons as the threshold population for consideration of an area to be a "major urban centre". Tweed Shire only has 90,000 population, however geographically, the Lower Tweed and Tweed Coast are a contiguous part of the Gold Coast Tweed urban area with a population in 2008 of 558,900 (ABS). In the future, Tweed Shire on its own is forecast to exceed 120,000.

Any continued exclusion of Tweed's urban arterial and sub arterial roads from the Classified Road system will cost this region dearly over future years. In Sydney, Newcastle, Wollongong and Central Coast, the NSW Government is responsible for strategic planning of the intra urban arterial road system and funding its construction and maintenance. In the Tweed it all falls to Council, because the Tweed is not considered to be a "major urban centre".

3. Classified Roads on the NSW Central Coast

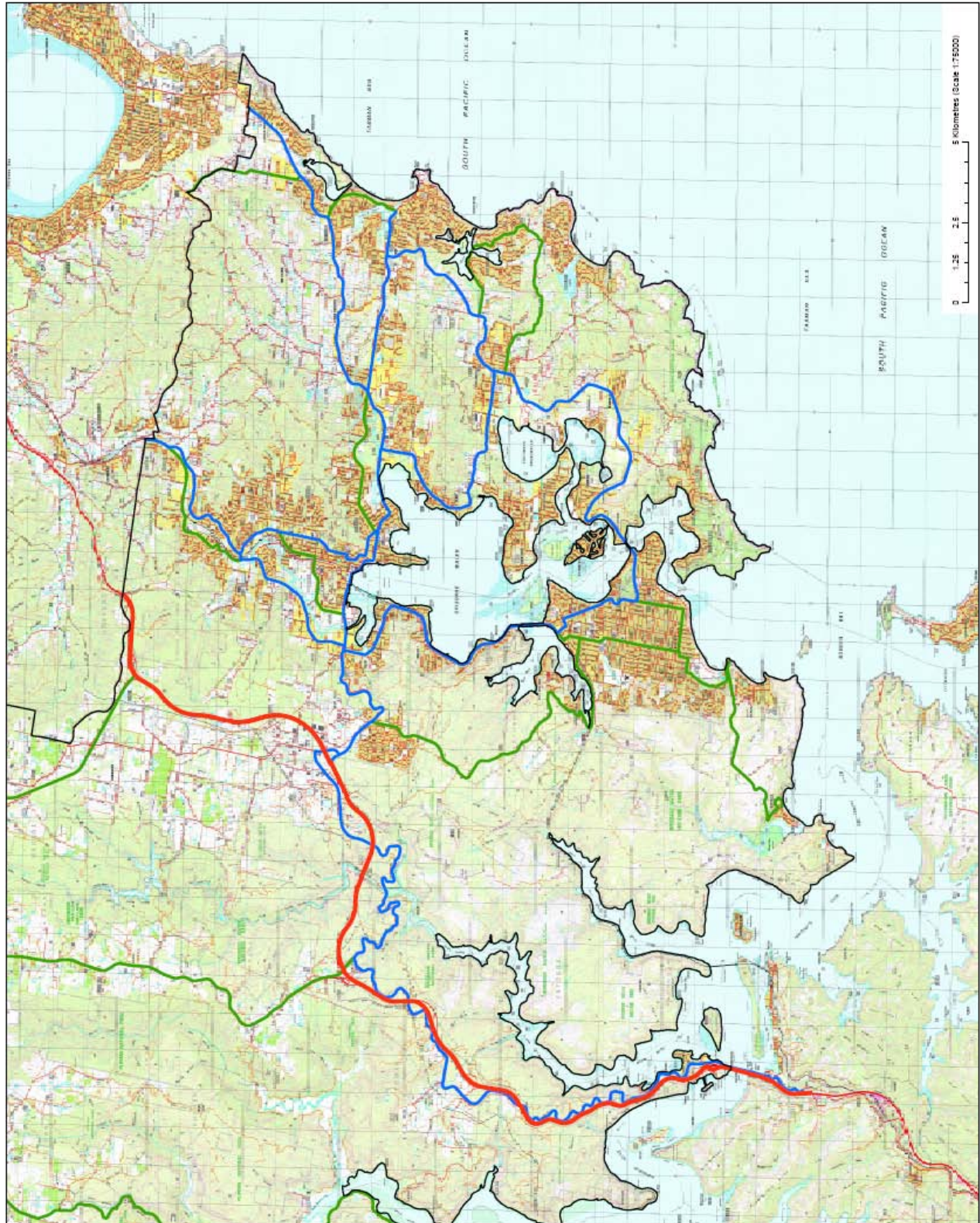
3.1 The NSW Central Coast

The NSW Central Coast consists of the Gosford and Wyong Council areas located between Sydney and Newcastle. Like Tweed, the Central Coast of NSW is a rapidly growing urban area in close proximity to a large capital city metropolitan area. The comparative current and future populations are:

	Gosford	Wyong	Tweed
Population 2011	167,000	150,000	90,000
Population Predicted 2031	182,000	200,000	120,000

3.2 Gosford City

Attached plan shows the urbanised part of Gosford City and its State and Regional Road network. There is a very comprehensive network of urban arterial State Roads serving all of the major urban areas (Central Gosford, Avoca, Erina, Terrigal, Woy Woy, Narara Valley, Kariong, Kincumber, Empire Bay etc) and connecting to interchanges on the Pacific Highway. There is also an extensive network of urban sub arterial Regional Roads complementing the State Road Network by providing alternative routes through urban areas and connecting more remote urban areas and villages to the State Road network, all funded by the State Government through the RTA.



GOSFORD State and Regional Road Networks

Legend

- Gosford LGA
- Gosford Road Network
- RTA Classification
- FREEWAY
- STATE
- REGIONAL

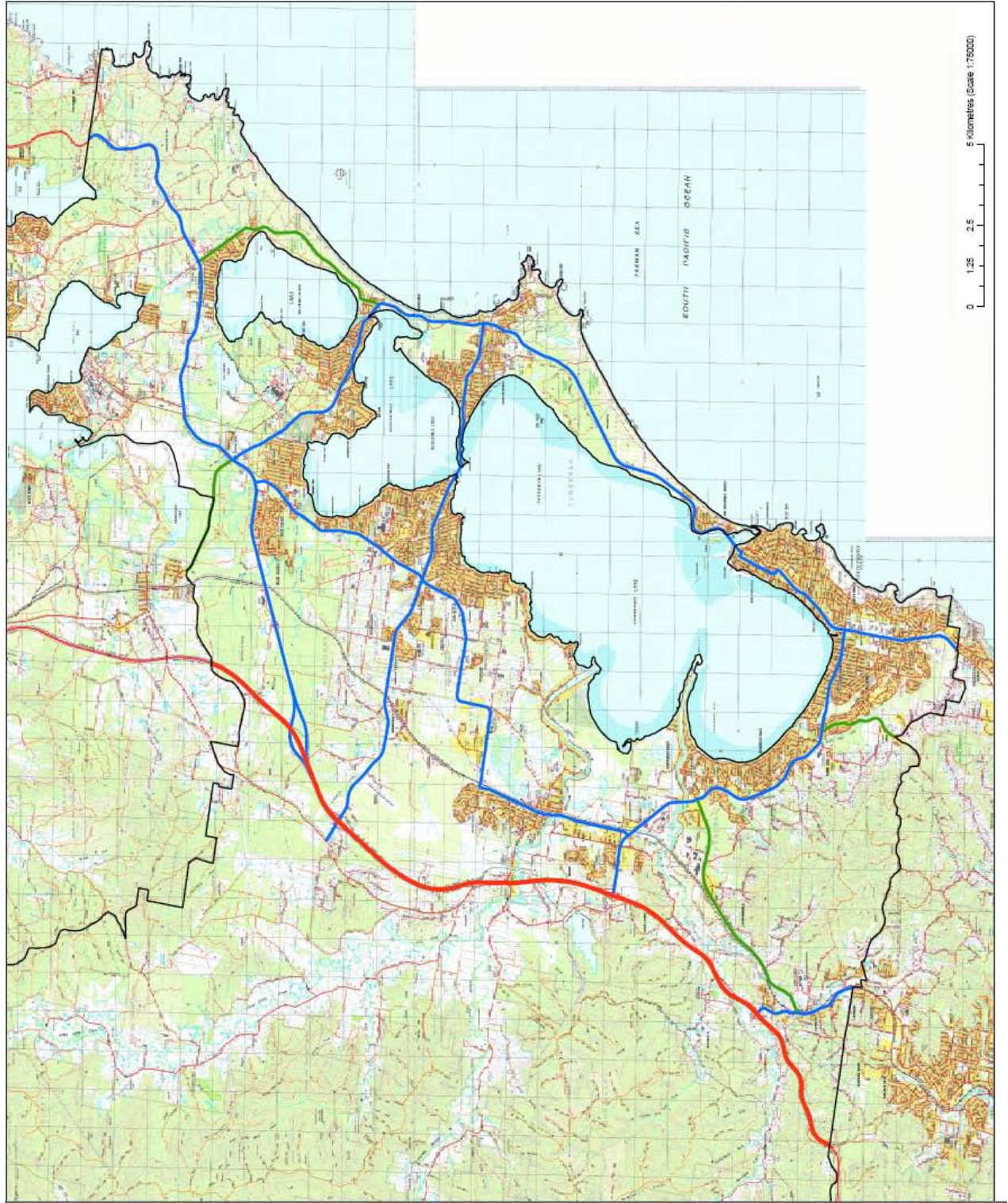
Population Statistics

Area	Year 2011	Year 2031
Gosford	187,000	182,000
Warringah	150,000	200,000
Tweed	90,000	128,000



3.3 Wyong Shire

Attached plan shows the urbanised part of Wyong Shire and its State and Regional Road network. There is a very comprehensive network of urban arterial State Roads serving all of the major urban areas (Wyong, Tuggerah, Berkley Vale, The Entrance, Toukley/Gorokan/Kanwal, Budgewoi, San Remo and Warnervale) and connecting to interchanges on the Pacific Highway. There is also an extensive network of urban sub arterial Regional Roads complementing the State Road Network by providing alternative routes through urban areas and connecting more remote urban areas and villages to the State Road network, all funded by the State Government through the RTA.



4. Funding Arterial Roads from Section 94 Developer Contribution Plans

4.1 Tweed Shire

Tweed's Section 94 Developer Contribution System includes the following Plans:

Plan	Name	Contents
01	DCP3 Open Space	Banora Point West/Tweed Heads South, open space
02	Western Drainage	Banora Point, stormwater drainage
03	DCP3 Community Facilities	Banora Point, community buildings
04	Tweed Roads Contribution Plan (TRCP)	Shirewide arterial roads
05	O/Space	Shire Wide open space (excluding designated growth areas)
06	Contribution Street Trees	Shirewide street trees
07	West Kingscliff	West Kingscliff open space and stormwater drainage
10	Cobaki Lakes	Cobaki Lakes, community facilities and open space
11	Libraries	
12	Bus Shelters	
13	Cemeteries	Regional cemetery
14	Mebbin Springs	Mebbin Springs, local roadworks
15	Community Facilities	Shirewide community facilities, excluding designated growth areas
16	Surf Lifesaving	
18	Council Admin - Tech Support	Council administrative buildings and works depots
19	Kings Beach	Kings Forest and Casuarina Beach, community facilities, cycleways and open space
20	Seabreeze Estate	Seabreeze Estate, open space
22	Shirewide Cycleways	Shirewide cycleways
23	Shirewide Carparking	offsite parking spaces
25	Salt Development	SALT, open space
26	Shirewide Open Space	Regional sporting facilities and parks
27	Tweed Hds Masterplan & Streetscaping	Tweed Heads, streetscaping
28	Seaside City	Seaside City, local subdivision infrastructure

Tweed Shire Council has utilised the Section 94 Contributions system to fund its urban arterial and sub arterial road network. The TRCP came into force 8 July 1993. There have been numerous amendments in 1997, 1999, 2000, 2004, 2005, 2007 and 2009.

Currently TRCP contributions for arterial roads represent 42% of total Section 94 Developer Contributions made to Tweed Shire Council. This makes the contribution for arterial roads by far the largest single infrastructure component of Tweed Shire Section 94 developer contributions. Contributions are based on sectors and are currently:

Sector	Locality	TRCP Household Contribution
1	Tweed Heads	\$4,264
2	Tweed Heads South	\$6,084
3	Cobaki	\$6,494
4	Bilambil Heights	\$11,889
5	Terranora	\$9,926 plus for "Area E" \$13,527
6	Kingscliff	\$5,597
7	Duranbah/Cabarita	\$6,208 plus for Kings Forest \$8,782 plus for Casuarina \$7,241
8	Pottsville	\$7,313 plus for Seabreeze/Koala Beach \$7,904
9	Murwillumbah	\$7,579
10	Rural - Inner East	\$10,407
11	Burringbar	\$7,306
12a	Rural - Inner North	\$15,327
12b	Rural - Inner West	\$13,403
13	Rural - Other	\$15,379

The TRCP works program contains \$308M of arterial roadworks. It is currently being amended and the revised estimate for the works program is \$588M. The major reasons for the increase in estimated costs are:

- general cost increases in the civil construction industry;
- increasing costs for planning and environmental compliance
- the need for increased risk contingency for works that have not yet proceeded to more detailed conceptual design. Similar increases have been experienced by the RTA e.g. The Banora Point (Sexton's Hill) upgrade has increased in estimated cost from \$180M to in excess of \$300M over a similar period.

The high cost of arterial roads in Tweed Section 94 contributions is causing a number of localities to exceed the NSW Government's \$30,000 cap (per dwelling or equivalent subdivision allotment). More localities will incur Section 94 cap limitations when the amended TRCP is adopted. If urban arterial and sub-arterial roads in Tweed Shire were the responsibility of the RTA, as they are on the Central Coast, then Tweed would have much more flexibility to accommodate contributions for soft community infrastructure within the cap.

4.2 Gosford City

Gosford's Section 94 System includes the following Plans:

Plan	Name	Are Roadworks Included?
	Civic Improvement Plan	\$162M projects for Gosford City Centre. Contributions are 4% of cost of development. Includes \$85M on city centre local traffic/road works.
5A	Drainage Narara	
5B	Nara roadworks & traffic management	local roadworks and intersections
5C	Narara community & recreation facilities	

Plan	Name	Are Roadworks Included?
7A	Niagara Park drainage	
7B	Niagara Park roadworks & traffic management	local roadworks and intersections
7C	Niagara Park community and recreation facilities	
8A	Lisarow drainage	
8B	Lisarow roadworks & traffic management	local roadworks and intersections
8C	Lisarow community and recreation facilities	
16A	Kincumber drainage	
16B	Kincumber roadworks & traffic management	local roadworks and intersections
16C	Kincumber open space	
21A	Kariong drainage	
21B	Kariong roadworks & traffic management	local roadworks and intersections
21C	Kariong community and recreation facilities	
23A	Springfield drainage	
23B	Springfield roadworks & traffic management	local roadworks and intersections
23C	Springfield open space	
31A	Peninsula drainage	local roadworks and intersections
31B	Peninsula roadworks	local roadworks and intersections
31C	Peninsula open space & recreation	
31D	Community facilities & services Peninsula	
36A	Erina Valley	Investigation costs only of development options for local area
42A	Erina/Green Point/Terrigal community & recreation facilities	
42B	Erina/Green Point/Terrigal drainage	
42C	Erina/Green Point/Terrigal roadworks & traffic management	local roadworks and intersections.
43A & 42B	East Gosford	local roadworks and intersections, pedestrian facilities
47A	Terrigal open space, pedestrian footpaths, town centre improvements, cycleways, stormwater and flood mitigation	
48A	Avoca Beach medium density area	Open space, footpaths
49A	North Gosford medium density area	Open space
52A	Springfield/Erina Creek (Precinct Two) roadworks	local roadworks

Plan	Name	Are Roadworks Included?
58A	Erina Fair local roadworks	Local roadworks and also includes some apportioned contributions to upgrade MR504 & MR505
67	Woy Woy carparking	
68	Umina carparking	
69	Terrigal carparking	
70	Car parking in East Gosford commercial centre	
71	Avoca Beach carparking	
72	Ettalong Beach carparking	
98	Bensville	local roadworks, open space
164	Gosford Regional Centre	Presumably to be superseded by "Civic Improvement Plan"

As arterial and sub arterial roads within Gosford City Council area are all designated "State" or "Regional" roads, these roads are funded by the NSW Government through the RTA. Accordingly there is little in the way of contributions to the arterial road network in Gosford's Section 94 Plans. As a result, Gosford can afford to include substantially more soft community infrastructure items within their Section 94 Cap.

4.3 Wyong Shire

Wyong's Section 94 System includes the following Plans:

S94 Plan No.	Name	Comments
	Budgewoi District Development Contributions Plan	Local road, traffic management, open space, community facilities
	Gorokan District Development Contributions Plan	Local road, traffic management, open space, community facilities
	Northern Districts Development Contributions Plan	Local road, traffic management, open space, community facilities
	Ourimbah District Development Contributions Plan	Local road, traffic management, stormwater drainage, open space, community facilities
	San Remo District Development Contributions Plan	Local road, traffic management, stormwater treatment, open space, community facilities

S94 Plan No.	Name	Comments
	Shire Wide Development Contributions Plan	Libraries, performing arts centre & public art, regional open space, cycleways,
	Southern Lakes District Development Contributions Plan	Local road, traffic management, stormwater drainage, open space, community facilities
	The Entrance Development District Contributions Plan	Local road intersections, traffic management, carparking, stormwater drainage, open space, community facilities
	Toukley District Development Contributions Plan	Local road, traffic management, carparking, stormwater drainage, open space, community facilities
	Warnervale District Development Contributions Plan	Local road, traffic management, stormwater drainage & treatment, open space, community facilities, environmental studies
	Wyang District Development Contributions Plan	Local road, traffic management, stormwater drainage & treatment, open space, community facilities, planning studies

As is the case in Gosford, arterial and sub arterial roads within Wyong Shire Council area are all designated "State" or "Regional" roads, these roads are funded by the NSW Government through the RTA. Accordingly there is little in the way of contributions to the arterial road network in Gosford's Section 94 Plans. As a result, Wyong can afford to include substantially more soft community infrastructure items within their Section 94 Cap.

4.4 Potential Failure of the Section 94 Model for Financing Urban Arterial Roads in Tweed Shire

Tweed Shire has been identified in the NSW Government's Far North Coast Regional Strategy as an area for rapid urban growth. Population is expected to grow from 90,000 in 2011 to around 120,000 in 2031.

In 1993 Council approved a Section 94 Contribution Plan to finance the expanded arterial road system needed to service planned population growth. This Contribution plan has been progressively updated to take into account optimisation of the proposed network, strategic landuse changes, actual population growth and the increased cost of capital road infrastructure.

Up to recently the Section 94 financing model was believed to be the most appropriate means of financing the expanded arterial road network. However, the latest review of the contributions plan has revealed that as time goes on this financing model will fail to collect sufficient funds to deliver the network.

The funding shortfall is being caused by a number of factors including:

- Large increases in the capital cost of arterial road infrastructure,
- Government imposed limits on the level of Section 94 Contributions,
- Unpredictable contribution cash flows and
- Absence of funding for portion of new arterial road infrastructure not consumed by new development. See Note.

Note: Most new arterial road infrastructure required for development consists of new roads/bridges, additional lanes on existing roads and new intersections/interchanges. Under the "nexus" principle of Section 94, developer contributions can only be collected for the portion of the infrastructure consumed by future development. As an example, development may cause the capacity of a two lane arterial road to be exceeded, requiring an additional two lanes, however the development may only "consume" a portion of the additional lanes, leaving some "unconsumed" capacity that Council must fund from other sources. Over the next 25 years this unfunded "unconsumed" portion of road infrastructure could exceed \$200M.

Council will therefore need other sources of funding to compliment S94 funds to provide the necessary arterial roads to support future urban growth.

5. Need for New Funding Model for Tweed Urban Arterial Roads

Gosford City and Wyong Shire's funding model for arterial roads has the following elements:

- Urban arterial and sub-arterial roads are classified as State and Regional Roads
- Therefore the NSW Government funds the construction and maintenance of these roads
- An RTA Central Coast Office has been established to manage, strategic planning, funding, construction and maintenance of the Central Coast State Road system.
- Section 94 developer contributions are therefore not needed for arterial roads and more is available under the NSW Government's cap for softer infrastructure (community facilities, open space, pedestrian/cycle paths, parking, stormwater drainage, local road issues and traffic facilities etc).

The current urban form of the Lower Tweed as part of the Gold Coast Tweed urban area and our projected population growth give the Tweed similar urban characteristics to the NSW Central Coast. Given the shortfall in funding of Tweed's urban arterial roads through the Section 94 developer contributions system, adoption of the Central Coast funding model for arterial roads would seem a necessary direction to take.

6. Adoption of the NSW Central Coast Funding Model for Tweed Shire Arterial Roads

6.1 Need to Reclassify Urban Arterial Roads in Tweed Shire

The first step in adopting the Central Coast funding model is to seek RTA recognition of Tweed Shire as a "major urban area" for the purposes of road classification. If this can be achieved, Council can then seek a reclassification of its urban arterial and sub-arterial roads to State Road and Regional Road classification.

If such urban designation can be obtained then the following Tweed Roads may be eligible for re-classification:

Table 6				
Road	Current Classification	Funding	Possible classification under Gosford/Wyong Funding Model	Funding under new classification
Kennedy Drive	Local Road	Council	State Road	RTA
Kirkwood Road	Local Road	Council except for RTA 50% funding of highway on/off ramps	State Road	RTA
Kirkwood Dr to Kennedy Dr, Highway service roads and bridges	Local Road	Council 50%, RTA 50% under Master Plan agreement	* Future State Road	RTA
Minjungbal Drive/Wharf Street	Regional Road	RTA maintenance/50 % repair. Council other	State Road	RTA
Sexton Hill Drive	State Road but RTA wish to declare Local Road once Banora Pt upgrade finished	RTA	State Road	RTA
Leisure Drive	Local Road	Council	Regional Road	RTA maintenance/50 % repair. Council other
Boyd Street Interchange	Local Road	Council	* Future State Road	RTA
Cobaki Parkway and Scenic Drive Diversion	Local Road	Council	* Future State Road	RTA

Table 6				
Road	Current Classification	Funding	Possible classification under Gosford/Wyong Funding Model	Funding under new classification
McAllisters Rd and Extension to Scenic Dr Diversion	Local Road	Council	* Future Regional Road	RTA maintenance/50 % repair. Council other
Fraser Drive	Local Road	Council	State Road	RTA
Terranora Rd, Fraser Dr to Highway	Local Road	Council	State Road	RTA
Terranora Rd, Fraser Dr Bilambil Rd	Local Road	Council	Regional Road	RTA maintenance/50 % repair. Council other
Bilambil Rd and Scenic Drive Terranora Rd to Kennedy Drive	Local Road	Council	Regional Road	RTA maintenance/50 % repair. Council other
Tweed Coast Road Chinderah to Cabarita	Regional Road	RTA maintenance only. Other Council	State Road	RTA
Tweed Coast Road, Coronation Ave, Pottsville Rd, Cudgera Ck Rd from Cabarita to Cudgera Ck interchange	Regional Road	RTA maintenance/50 % repair. Other Council	Regional Road	RTA maintenance/50 % repair. Council other
Clothiers Ck Rd, Highway to Tweed Coast Rd	Local Road	Council	Regional Road	RTA maintenance/50 % repair. Council other

6.2 Future State Roads and Regional Roads

The 2007 "NSW Road Classification Review - Review Panel Final Report" made the following observations regarding future road classifications in the Sydney area:

"3.4.9 Growth on Sydney Urban Fringe"

The Panel is conscious of growth proposals on Sydney's fringe and a number of proposals from councils reflected these pressures. The Panel considers that these are complex issues which are more appropriately dealt with through other processes already in place between the RTA, planning agencies and councils.

The Panel therefore has not made any recommendations for change in the growth areas around Camden and Campbelltown although clearly adjustments to State and Regional roads will be required as the development process moves forward. Proposals were also put to the Panel to downgrade some existing State Roads to Regional Roads in this south west fringe. Even though these roads are not located within the growth areas, the Panel considered it would be premature to change their status at this time given the potential impact on them from growth in adjoining areas.

In the Rouse Hill growth area, the Panel has recommended that part of Schofields Road become State Road to allow RTA to take a greater role in its development. The Panel understands that funding sources for the development of this road have been identified whereas such sources have not been identified for proposed arterial roads in the growth areas to the south west.

The Panel considers that identification of future State and Regional Roads in and around the growth centre areas of Camden and Campbelltown could be considered by the RTA in consultation with the relevant planning agencies as part of the planning and development process for the growth centres."

The same comments could apply to future roads in the Tweed growth areas. The general thrust of the Panel's comments, is that the RTA, planning agencies and Councils should deal with the classification of future roads as part of the overall strategic planning of urban growth areas. This process has not occurred in the Tweed at any level. For Cobaki, The Rise and Kings Forest the NSW Department of Planning did not consider future road classifications nor did they invite the RTA to be part of such a process.

This could change if Tweed is recognised as a "Major Growth Centre", with this recognition, the RTA could participate in strategic planning of future Classified Roads in Tweed's urban growth areas and later participate in concept design, staging, funding, and construction of these roads. This would require the establishment of a steering committee with representatives from the RTA, Department of Planning and Infrastructure and Council to guide this process.

6.3 Funding Under New Road Classifications

It would follow that funding under the revised classification would be in accordance with the RTA's current funding arrangements.

State Roads are planned, constructed, maintained and operated by the RTA, however Councils can sometimes bid for maintenance and construction of these roads under the RTA single invitation tender system.

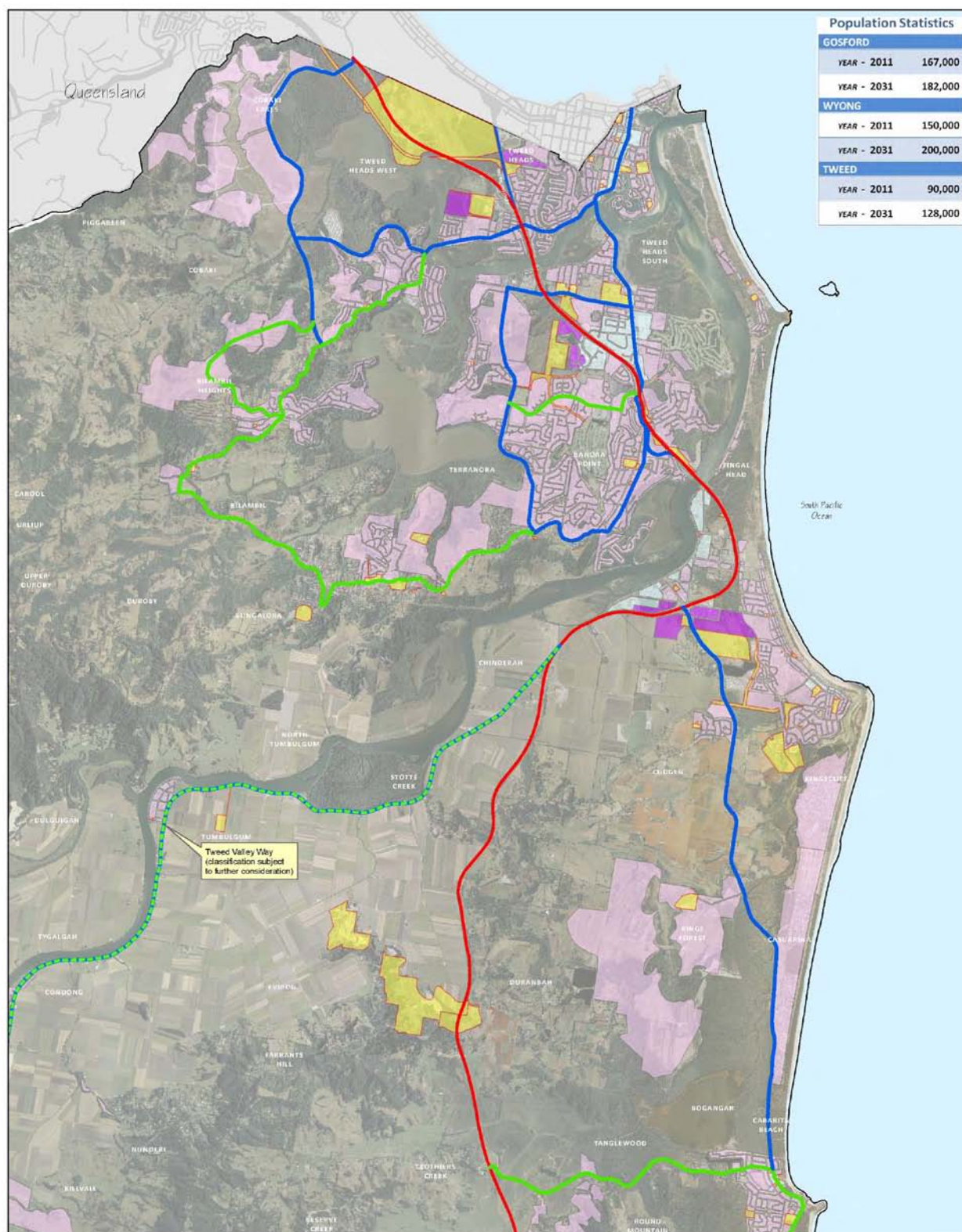
Councils with Regional Roads receive an annual "Block Grant" from the RTA for maintenance of these roads. If Council is successful in seeking the reclassifications set out in Table 6, then Council's annual block grant would be increased to cater for the maintenance needs of the additional Regional Road length.

6.4 Banora Point Upgrade, Sexton Hill Drive

As part of the Banora Point Upgrade, the RTA have initiated handover negotiations for the soon to be replaced section of the Pacific Highway between Barneys Point Bridge and the northern interchange (bottom of Sexton's Hill) and are referring to this road as "Sexton Hill Drive". The RTA propose that Sexton Hill Drive be a local road to be funded and managed by Council. Transfer of this section of road would be contrary to the objectives of this report which argues that this section of road should remain a "State Road". It is recommended therefore that the RTA be advised that pending the outcome of the processes recommended in this report, Council will not accept reclassification of this road to "local road".

6.5 Tweed Valley Way

The Old Pacific Highway was renamed "Tweed Valley Way" and declassified from State Road to Regional Road when the Yelgun/Chinderah section of highway was opened. This de-classification was supported at the time by Council. However given the definitions and criteria in the 2007 "NSW Road Classification Review - Review Panel Final Report", it is considered that this de-classification is not now appropriate and that given the Tweed Valley Way's function and traffic volumes it should be reclassified back to State Road. As no major upgrading works (apart from Black Spot works that are already funded) are planned in the short term, reclassification of the Tweed Valley Way is not considered as urgent as the classification of arterial roads in the urban growth areas. However when the next state wide classification review is conducted by the RTA, Council should seek reclassification of the Tweed Valley Way to State Road.



Population Statistics		
GOSFORD		
YEAR - 2011		167,000
YEAR - 2031		182,000
WYONG		
YEAR - 2011		150,000
YEAR - 2031		200,000
TWEED		
YEAR - 2011		90,000
YEAR - 2031		128,000

PROPOSED CLASSIFIED ROADS 2011

TWEED LOCAL ENVIRONMENTAL PLAN 2000 - EXTRACT

- RESIDENTIAL ZONING
- INDUSTRIAL ZONING
- BUSINESS ZONING
- SPECIAL USES ZONING

- FREEWAY
- REGIONAL

- STATE

- SUBJECT TO FURTHER CONSIDERATION

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GDA

Map Projection: Universal Transverse Mercator
Datum: Geocentric Datum of Australia 1984
Grid: MapGrid of Australia Zone 56

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7. Implementation and Recommendations

Implementation of the objectives of this report will require:

- For the purpose of Road Classification, RTA recognition that Tweed is part of a "major urban centre" and consequential amendment of the RTA definition and classification criteria for "State Roads" and "Regional Roads".
- Review of classification of urban arterial and sub arterial roads in the Tweed urban areas, given the above.
- Upon reclassification, NSW Government/RTA funding for newly classified State and Regional Roads
- Establishment of a "Tweed Urban Growth Areas, Arterial Road Steering Committee" consisting of representatives of the RTA, Department of Planning and Infrastructure and Council to strategically plan, identify, classify, determine standards, determine staging, source funding and oversee construction of classified roads needed to service Tweed Shire urban growth areas.

As Tweed Shire grows from its rural, small town and coastal village roots into the major far north coast urban area of New South Wales, there are necessary government administrative changes needed to assist this transformation. The State Government's funding and management support for arterial road infrastructure on the NSW Central Coast has helped that area acquire the infrastructure it needs as an urban growth area. Tweed has now reached the stage where it needs similar State Government support for its urban growth infrastructure. The proposals outlined in this report will have considerable financial impacts on Council and the State Government and a successful outcome would be enhanced by the support of the Minister for the North Coast and our local members of State Parliament.

In regard to the pending RTA proposal to hand over Sexton Hill Drive to Council as a "Local Road", it is considered that this should be opposed given that it is inconsistent with the objectives of this report.

LEGAL/RESOURCE/FINANCIAL IMPLICATIONS:

Substantial potential impacts on funding of arterial road infrastructure. Potential to shift costs from Council to the State Government.

POLICY IMPLICATIONS:

Substantial impacts on management and funding of urban arterial and sub arterial roads in Tweed Shire. Potential impacts on Section 94 Developer Contribution system.

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 (from 8.00pm Wednesday the week before the meeting) or visit Council's offices at Tweed Heads or Murwillumbah (from 8.00am Thursday the week before the meeting) or Council's libraries (from 10.00am Thursday the week of the meeting).

1. NSW Road Classification Review - Review Panel Final Report August 2007 (ECM 38684110).
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