

[Agenda Report](#)

TITLE: [CNR-CM] Feasibility of Murwillumbah Landfill for Use as Motorcycle (Dirt) Track

SUBMITTED BY: Waste Management



Supporting Community Life

SUMMARY OF REPORT:

Council at its meeting on 17 April 2012 carried a notice of motion to determine the feasibility of using the closed Murwillumbah landfill as a motorcycle (dirt) track. The closed landfill on Lundberg Drive covers Lot 1 DP 232745 in entirety and a portion of Lot 2 DP 1139059. Council surrendered the landfill licence in November 2009, and a comprehensive closure and capping plan was completed in July 2010. The site has had no use since closure besides routine environmental monitoring consistent with a closed landfill site. At the time of closure flood free storage was cited as a possible end use activity.

A preliminary review of land-use permissibility on this land has deemed that the proposed activity would be suitable with consent if compatible with adjacent uses and uses allowed in adjacent zones.

RECOMMENDATION:

That Council:

- 1. Supports the establishment of a motorcycle (dirt) track at the Murwillumbah landfill but notes the constraints associated with this site.**
- 2. Advises the Tweed Valley Junior Development Motorcycle Club of its support for the establishment of a motorcycle (dirt) track at the Murwillumbah landfill.**
- 3. Advises the Tweed Valley Junior Development Motorcycle Club of the requirement for it to prepare and lodge a Development Application.**
- 4. Endorses Council Officers to commence negotiations with Tweed Valley Junior Development Motorcycle Club to prepare a long term agreement setting out the land use and financial arrangements.**

REPORT:

Council at its meeting on 17 April 2012 carried a notice of motion to determine the feasibility of using the closed Murwillumbah landfill as a motorcycle (dirt) track. Since that motion passed, Council has received correspondence from the Tweed Valley Junior Development Motorcycle Club expressing interest in utilising the Murwillumbah landfill as a permanent motorcycle facility. The closed landfill on Council owned land covers Lot 1 DP 232745 in entirety and a portion of Lot 2 DP 1139059. The total combined land parcel is 6.3hectares.

Figure 1: Murwillumbah Landfill site land use zoning (special uses 5(a))

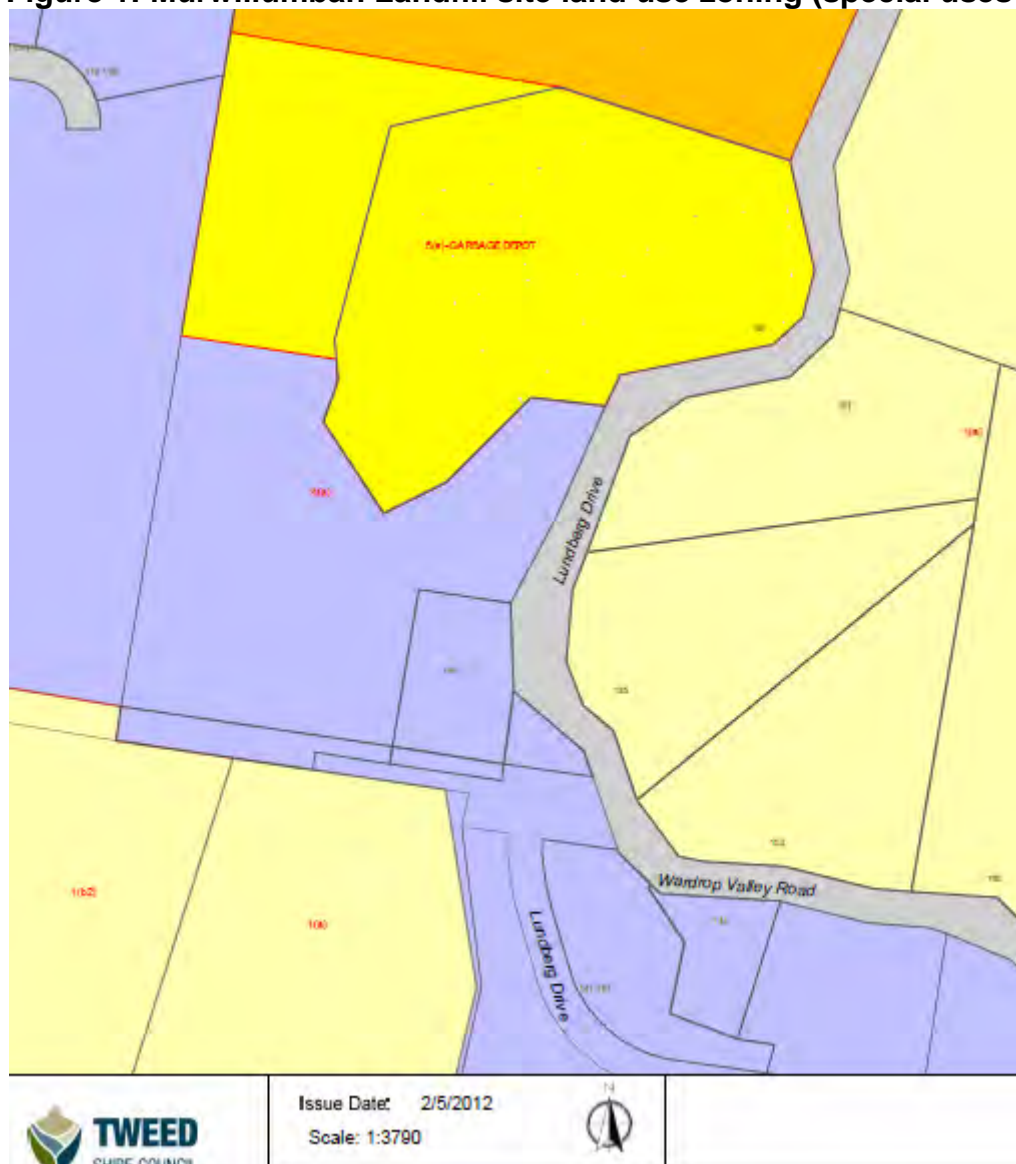


Figure 2: Murwillumbah Landfill Aerial Photograph

Council surrendered the landfill licence in November 2009, and a comprehensive closure and capping plan was completed in July 2010. The closure works established an 800mm clay capping layer, 300mm drainage layer, and a 200mm hardstand layer graded at 5% over the waste fill area. Works were also conducted to formalise surface water drainage. In addition to the graded and capped waste fill pad, the site hosts a small office hut, a caretaker's office with toilet facilities, two stormwater ponds, a sealed roadway, and a series of earthen benches that once housed the tip shop facilities. The facilities at this site are in various states of repair.

The site has had no active use since closure. Council has ongoing commitments such as groundwater/surface water monitoring and weed control at the site. Annual expenditure is approximately \$15,000 for these obligations. A motorcycle (dirt) track would provide an opportunity to generate income over this currently unused site. Any income could be used to amortise current monitoring and maintenance costs.

At the time of closure, flood free storage of Works Unit or Water Unit plant and materials was cited as a possible end use activity.

No environmental or planning constraints assessment has been conducted to determine if a motorcycle (dirt) track would be feasible at this site. No investigations have been undertaken to determine if this proposed use would damage the integrity of the landfill capping. No discussions have been entered into with the regulator (Environmental Protection Authority) regarding the use of a closed landfill for this purpose. Should Council resolve to authorise the General Manager to provide owners consent, any applicant would need to satisfy all planning and environmental regards for the proposed activity. All costs associated with any application would be borne by the applicant.

Development Assessment Unit comments:*Current LEP:*

The site is currently zones 5(a) Special Uses Garbage Depot. A preliminary review of land-use permissibility on this land has deemed that the proposed activity would be suitable with consent if compatible with adjacent uses and uses allowed in adjacent zones.

Draft LEP2010:

A motor cross track would be defined as a recreation area under the Tweed LEP 2000.

The subject site is zoned 5(a) Garbage Depot. The primary objective of the zone is -

To identify land which is developed or is proposed to be developed, generally by public bodies, for community facilities and services, roads, railways, utilities and similar things.

Given that the special use has been exhausted the objective of the zone does not pose a permissibility barrier.

The uses that are permissible with consent in the zone include any uses which are compatible with adjacent uses and with uses allowed (with or without consent) in adjacent zones.

The adjacent zones are 4(a) Industrial, 7(l) Environmental Protection (Habitat) and 1(a) Rural.

Adjacent uses include dwelling houses.

To be permissible on the subject site two threshold questions needs to be answered. Is the motor cross track compatible with adjacent uses? Is the motor cross track compatible with uses allowed in adjacent zones?

Draft LEP 2010 proposes the site to be zoned IN1 General Industrial. Motor cross tracks are not permissible in the IN1 zone. If an application was currently before Council for determination the Draft LEP would not have determining weight as the draft LEP is not certain or imminent to be made.

A copy of the letter from Tweed Valley Junior Development Motorcycle Club Is reproduced below for Council's information:

GARBAGE - DEPT MIBAH

SN: 1402
PN: 18284

TWEED SHIRE COUNCIL
FILE No: SPORTS & REC - GENERAL
DOC. No:
RECD: 13 APR 2012
ASSIGNED TO: RAYNER, M
BOARD COPY <input type="checkbox"/>
IMAGE <input checked="" type="checkbox"/>

Tweed Valley Junior Development**Motorcycle Club**6 Brushbox Crt Bogangar 2488
0409761209

12/04/12

Att Mr Mike Rayner,

We Tweed Valley Motorcycle Club have the opportunity to merge with the Gold Coast Motorcycle Club. If this is to happen we would then have up to \$400 000 in the bank at our disposal. The decision was made by the Gold Coast Club to amalgamate with us as 60% of their members come from the Tweed region. We then would be self sufficient in funding & building our own facility if a suitable location could be found.

After walking over the old Murwillumbah tip site with Councillor Skinner we would like to request the use of this site for a permanent motorcycle facility.

The Current Gold Coast m/c has been running for 35 years and has paid there own way with no help needed from GCCC. If given the opportunity to create a similar facility in our own area, there is no reason we too could not stand alone financially. The opportunity would also be there to create Jobs for contractors in our area as regular maintenance would be required.

Our aim is to create a family orientated facility that makes it easy for our members to come along and ride in a safe & regulated area, which in turn will hopefully stop people from riding in and damaging our local protected areas.

With the club running profitably the opportunity would also be there to put funds back into our community to help create or maintain other projects for our youth.

We would appreciate a quick response as we have to make a decision on our future as a club.

Yours Faithfully
Grant Casey
President TVJDMC


OPTIONS:

1. Council could resolve not to support the motorcycle (dirt) track at Murwillumbah landfill. Any prospective applicant would need to find alternative suitable land for this activity; or
2. Council could resolve to support a motorcycle (dirt) track at Murwillumbah landfill. The applicant would need to satisfy all environmental and planning regards and bare all costs.

CONCLUSION:

The Murwillumbah landfill site is currently unused. Council currently has expenditure obligations at this site of approximately \$15,000 each year. The site is zoned 5(a) Special Uses which allows the proposed activity with consent. The zoning of the adjoining land is a constraint to this proposed development. It is recommended that Council as landowner support the proposed development of a motorcycle track.

COUNCIL IMPLICATIONS:**a. Policy:**

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Potential income stream.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Should the Motorcycle Club proceed with a Development Application, it is recommended that Community Consultation occur prior to lodgement. This could include liaising with adjoining neighbours or a Community Meeting detailing the proposal.

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Supporting Community Life
- 2.1 Foster strong, cohesive, cooperative, healthy and safe communities
- 2.1.3 Provide opportunities for residents to enjoy access to the arts, festivals, sporting activities, recreation, community and cultural facilities
- 2.1.3.2 Provide accessible recreational spaces for young people

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

TWEED SHIRE COUNCIL MEETING TASK SHEET

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Action Item - COUNCIL MEETING Tuesday, 15 May 2012

Action is required for Item **13** as per the Council Resolution outlined below.

TITLE: [CNR-CM] Feasibility of Murwillumbah Landfill for Use as Motorcycle (Dirt) Track

Cr K Skinner
Cr W Polglase

PROPOSED that Council:

1. Supports the establishment of a motorcycle (dirt) track at the Murwillumbah landfill but notes the constraints associated with this site.
2. Advises the Tweed Valley Junior Development Motorcycle Club of its support for the establishment of a motorcycle (dirt) track at the Murwillumbah landfill.
3. Advises the Tweed Valley Junior Development Motorcycle Club of the requirement for it to prepare and lodge a Development Application.
4. Endorses Council Officers to commence negotiations with Tweed Valley Junior Development Motorcycle Club to prepare a long term agreement setting out the land use and financial arrangements.

AMENDMENT

Cr J van Lieshout
Cr K Milne

RESOLVED that Council:

1. As landowner, supports in principle, the establishment of a motorcycle (dirt) track at the Murwillumbah landfill but notes the constraints associated with this site.

2. Advises the Tweed Valley Junior Development Motorcycle Club of its support for the establishment of a motorcycle (dirt) track at the Murwillumbah landfill.
3. Advises the Tweed Valley Junior Development Motorcycle Club of the requirement for it to prepare and lodge a Development Application with supporting appropriate studies.
4. Endorses Council Officers to commence negotiations with Tweed Valley Junior Development Motorcycle Club to prepare a long term agreement setting out the land use and financial arrangements.

The Amendment was **Carried** and became the Motion.

FOR VOTE - Cr P Youngblutt, Cr K Milne, Cr J van Lieshout, Cr B Longland
AGAINST VOTE - Cr D Holdom, Cr W Polglase, Cr K Skinner

AMENDMENT

Cr D Holdom
Cr K Milne

PROPOSED that:

1. Council as landowner, supports in principle, the establishment of a motorcycle (dirt) track at the Murwillumbah landfill but notes the constraints associated with this site.
2. Council advises the Tweed Valley Junior Development Motorcycle Club of its support for the establishment of a motorcycle (dirt) track at the Murwillumbah landfill.
3. Council advises the Tweed Valley Junior Development Motorcycle Club of the requirement for it to prepare and lodge a Development Application with supporting appropriate studies.
4. Council endorses Council Officers to commence negotiations with Tweed Valley Junior Development Motorcycle Club to prepare a long term agreement setting out the land use and financial arrangements.
5. The Tweed Valley Junior Development Motorcycle Club is to conduct community consultation prior to the lodgement of the Development Application, should it proceed, and that includes liaising with the adjoining neighbours and detailing the proposal to the adjoining neighbours.

The Amendment was **Lost**

FOR VOTE - Cr D Holdom, Cr K Milne
AGAINST VOTE - Cr W Polglase, Cr P Youngblutt, Cr K Skinner, Cr J van Lieshout, Cr B Longland

The Motion was Carried - (Minute No 276 refers)

FOR VOTE - Cr W Polglase, Cr P Youngblutt, Cr K Skinner, Cr J van Lieshout, Cr B Longland

AGAINST VOTE - Cr D Holdom, Cr K Milne