



NOTICE OF MOTION

SUBMITTED BY COUNCILLOR: Councillor Tony Wellington

COUNCIL MEETING: Ordinary 20 June 2013

I hereby notify of my intention to move the following motion at the Ordinary Meeting to take place on Thursday, 20 June 2013:

That Council amend the Teewah Road Reserve Management Plan by:

a) Deletion of Clause 5.1.2. Encroachments in Road Reserves and replacement with new Clause:

"5.1.2 Encroachments in Road Reserve

There are a number of existing encroachments in road reserves. It is council's responsibility to determine the appropriate manner in which the existing encroachments are to be addressed.

Existing fish cleaning tables and seats will be permitted to remain as community infrastructure under the control of council.

In future, no works are to be undertaken within the road reserve without application and approval under council's Local Law No.4 (Local Government Controlled Areas, Facilities, Infrastructure and Roads) 2011"

b) Deletion of Clause 5.1.3 and replacement with new Clause



"5.1.3 Bollards in Road Reserve

Existing bollards in the road reserve are to remain in place.

No further bollards are allowed to be installed without council approval."

c) Appendix A

Deletion of Appendix Clause 4 and renumbering of Clause 5 to Clause 4.

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Councillor **Date**

To all Councillors and Executive Directors

I hereby notify that Cr Wellington intends to move the motion as shown above at the Ordinary Meeting to be held on 20 June 2013

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Chief Executive Officer **Date**

COUNCILLOR COMMENT

IN BRIEF:

It is considered that the bollards do not represent a safety hazard to the public nor do they represent a public liability issue for council. This being the case it is not in the public interest to expend funds to remove them at this time.

BACKGROUND INFORMATION:

Teewah is a small village of 108 private land holdings. Its only vehicle access is via Teewah Beach on Noosa's North Shore. The vast majority of dwellings are used for holiday purposes and only a handful are permanently occupied. Roads in the village are sand tracks. The speed limit on these tracks is 20kph.

There are two community groups at Teewah. There is the substantial Teewah Landowners Association and the smaller TIGI (Teewah Interest Group Inc). The latter group has waged a long-standing campaign to have the road alignment in Swallowtail Street altered to the middle of the road reserve.

As a result of the ongoing friction over road reserves in Teewah, staff prepared a Teewah Road Reserve Management Plan. The copyright date on that Plan is 2011, although it came before council for consideration at the August 2012 OM. Clearly the Plan was prepared before my time on Council.

Those residents wishing to have the roadway realigned claim that this is a matter of public safety. However the speed is limited to 20kph in the village,

and Swallowtail Street has far less regular traffic than the vast majority of roads in the Council region. The existing tracks are arguably an historical product of the original fishing hamlet. Furthermore, it is not at all unusual for streets across the shire to remain unaligned with the centre of road reserves.

I am reliably informed by staff that there have been acts involving tree removal, tree planting and other attempts to alter the track alignment in the Swallowtail Street road reserve.

I am informed that many of the bollards were put in place by Council to protect native vegetation in the road reserve. In the past, Council has been forced to replace bollards after they have been illegally removed by residents.

Staff inform me that the bollards as they exist do not represent a public hazard and generate no public liability issues for Council.

Those residents who wish to see the bollards in Swallowtail St removed are also those who harbour an ambition to have the track realigned. However the Management Plan notes that "It is not proposed that there will necessarily be widespread conformity of alignment across the village road network as this would detract from the charm and character of the village and impact on vegetation. Motorists are required to travel along the existing tracks and are not to create new tracks by driving off alignment."

In the case of a request for works in road reserves, property owners are required under the Management Plan to seek consensus from adjacent property owners, including owners opposite the property in question. If the scope of the works is major, consultation is required to be with all owners of property in the street block.

In terms of vegetation in road reserves, the Management Plan states that "vegetation in the road reserve is not to be interfered with without approval", and further that "no vegetation is to be planted in a road reserve without approval."

Having consulted with staff and residents, I believe it is best to leave the current bollards in place and this requires making the proposed minor adjustments to the Teewah Road Reserve Management Plan.