



Appreciation Register

Version 1.0

Adopted by Council
at its meeting on
xxx
Minute No: xxx

Division:	Technology & Corporate Services
Section:	Corporate Compliance
File Reference:	n/a
Historical Reference:	



Appreciation Register

Details of items of appreciation are to be listed in the Open and Confidential Business Papers on a quarterly basis.



Audit Committee Charter

Version 1.3

Adopted by Council
at its meeting on

Minute No: xx

Division:	Technology & Corporate Services
Section:	Corporate Compliance
File Reference:	
Historical Reference:	1.0 07/02/2006, 1.1 Adopted 28/11/2006, 1.2 Adopted 13/11/2007



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Audit Committee Charter

Preamble

This Charter establishes the authority and responsibilities conferred on the Audit Committee by Council and explain the role of the Audit Committee within the Council.

The Audit Committee is an advisory Committee of the Council and does not have executive power or authority to implement actions.

1. Objective

The objective of the Audit Committee (Committee) is to provide independent assurance and assistance to the Tweed Shire Council on control, governance and external accountability responsibilities.

The Audit Committee's *objectives are to be implemented by ensuring that:*

- A culture of adherence to Council policies and procedures is promoted;
- Business Systems and procedures have been established by the Executive Management Team and are effective;
- Appropriate risks and exposures are effectively managed;
- Statutory compliance is promoted and monitored;
- The audit processes (both internal and external) are effective; and
- The external reporting is objective and credible.

2. Authority

The Council authorises the Audit Committee within the scope of its role and responsibilities to:

- *Propose and/or request the General Manager conduct investigations into any matters.*
- *Obtain any information it needs from any employee or external party subject to protected information legal obligations.*
- *Discuss any matters with the external auditor or other external parties subject to confidentiality considerations.*
- *Request the attendance of any employee or Councillor at Committee meetings.*
- *Obtain external legal or other professional advice considered necessary to meet its responsibilities.*

3. Composition and Tenure

The Committee will consist of:

3.1 Members (voting)

The Audit Committee shall consist of at least four members. Changes to the Committee composition and tenure will be by approval of Tweed Shire Council.

The Committee consists of:

- *Two independent Members - appointed by Council; and*
- *Two Councillors.*

The Chair of the Committee will be an independent member elected by a majority vote of the members of the Audit Committee.

All independent members will be appointed by Council for a term of two years, after which they will be eligible for extension or re-appointment following a formal review of their performance.

3.2 Attendee (non-voting)

General Manager and Internal Auditor shall be available to attend all Audit Committee meetings but are not members of the committee and do not have voting rights.

3.3 Invitees (non-voting) for specific Agenda items

- *Representatives of the external auditor.*
- *Other officers may attend by invitation as requested by the Committee.*

Independent Member Skills

Independent members must have appropriate skills and time to fulfil their role on the Committee with at least one member having significant qualifications, experience and skills with financial matters. It is desirable that the other independent member has public sector corporate management, legal and risk management qualifications and experience.

Independent Member Appointment Process

Independent members shall be requested to nominate their services through a public invitation process. The initial evaluation of potential members will be undertaken by the General Manager and Chairman of the Operations Committee, taking into account the experience of the nominees and their ability to apply appropriate analytical and strategic management skills. The General Manager and Chairman of the Operations Committee will then nominate selected independent members to Council for approval.

4. Role and Responsibilities

The Audit Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Audit Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

Ethical Practices

Members of the Audit Committee will, at all times in the discharge of their duties and responsibilities, exercise honesty, objectivity and probity and not engage knowingly in acts or activities that have the potential to bring discredit to the Council.

Members must also refrain from entering into any activity that may prejudice their ability to carry out their duties and responsibilities objectively and must at all times act in a proper and prudent manner in the use of information acquired in the course of their duties. Members must not use Council information for any personal gain for themselves or their immediate families or any manner that would be contrary to law or detrimental to the welfare of the Council.

Further, members must not publicly comment on matters relative to activities of the Committee other than as authorised by Council.

The Audit Committee's duties and responsibilities *may be revised or expanded by the Council from time to time*. The responsibilities of the Committee include, but not necessarily limited to:

4.1 Risk Management

- *Review whether management and/or Council's Risk Management Committee has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.*
- *Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.*

4.2 Control Framework

- *Review whether management has adequate internal controls in place, including external parties such as contractors and advisors;*
- *Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;*
- *Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;*
- *Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and*
- *Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.*
- *Understand the scope of internal and external auditors' review of internal control over financial reporting, and obtain reports on significant findings and recommendations together with managements responses.*

4.3 External Accountability

- *Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls.*
- *Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.*

- *To consider contentious financial reporting matters in conjunction with Council's management and external auditor.*
- *Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.*
- *Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations; and*
- *Satisfy itself there is a performance management framework linked to organisational objectives and outcomes and be reviewed for compliance with this external accountability.*

4.4 Legislative Compliance

- *Determine whether management has appropriately considered legal and compliance risks as part of the risk assessment and management arrangements.*
- *Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.*
- *Review the process of communicating the Council's Code of Conduct and other corruption resistance controls to personnel, and for monitoring compliance therewith.*
- *Obtain regular updates from management and the Council's legal representatives regarding compliance matters.*

4.5 Internal Audit

- *Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.*
- *Review and approve the Annual Internal Audit Plan. This plan should be risk based and its preparation to the Audit Committee conducted in accordance with AS/NZS4360:2004, with input from the Executive Management Team, External Audit and Internal Audit.*
- *Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.*
- *Monitor the implementation of internal audit recommendations by management.*
- *Periodically review the Internal Audit Charter to ensure appropriate organisational structures authority, access and reporting arrangements are in place.*
- *The database of the Internal Audit Operation Plans is to be presented to every Audit Committee meeting, detailing the status of each audit in the respective plans.*

4.6 External Audit

- *Act as forum for communication between the Council, General Manager, senior management, internal audit and external audit.*
- *Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided.*

- *Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.*
- *Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.*

4.7 Responsibilities of Members

Members of the Committee are expected to:

- *Understand the relevant legislative and regulatory requirements appropriate to Tweed Shire Council.*
- *Contribute the time needed to study and understand the papers provided.*
- *Apply good analytical skills, objectivity and good judgement.*
- *Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.*
- *At all times in the discharge of their duties and responsibilities, exercise honesty, objectivity and probity and not engage knowingly in acts or activities that have the potential to bring discredit to the Council.*
- *Refrain from entering into any activity that may prejudice their ability to carry out their duties and responsibilities objectively and must at all times act in a proper and prudent manner in the use of information acquired in the course of their duties.*
- *Not to use Council information for any personal gain for themselves or their immediate families or any manner that would be contrary to law or detrimental to the welfare of Council.*
- *Not to publicly comment on matters relative to activities of the Committee other than as authorised by Council.*

5. Reporting

At the first Committee meeting after 30 June each year, Internal Audit will provide a performance report of:

- *The performance of Internal Audit for the financial year as measured against agreed key performance indicators; and*
- *The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.*

The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an Individual Committee member may request a meeting with the Chair of the Committee.

6. Administrative Arrangements

6.1 Meetings

The Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual financial reports and external audit opinion.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit Committee Charter.

Minutes will be taken at these meetings, detailing matters discussed and action agreed.

It is the responsibility of the Chair of the Committee to set the Audit Committee meeting agenda. Meeting agendas will be prepared and provided in advance to members, along with appropriate briefing materials.

Agenda items for consideration at an Audit Committee meeting can be referred to the Chair of the Committee by Council, the General Manager, and other Audit Committee members, and the Internal Auditor or the External Auditor.

6.2 Attendance at Meeting and Quorums

A quorum will consist of the majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone or by video conference.

The Internal Auditor will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request the Chief Finance Officer or any other employees to participate for certain agenda items, as well as the external auditor.

6.3 Secretariat

Council's Corporate Compliance Officer will provide secretariat support to the Committee.

The Officer will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

6.4 Conflict of Interest

Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

6.5 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

6.6 Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

6.7 Review of Audit Committee Charter

At least once every two years the Audit Committee will review this Audit Committee Charter.

The Audit Committee will recommend any changes of this Audit Committee Charter to Council for adoption.



Complaints Handling

Version 1.2

Adopted by Council
at its meeting on
xxx
Minute No: xxx

Division:	Technology & Corporate Services
Section:	Corporate Compliance
File Reference:	n/a
Historical Reference:	1.2 Adopted by Council 13 November 2007 1.1 Adopted by Council 2 November 2005 Minute No 556 1.0 Adopted by Council 15 December 2004 Minute No 866

Complaints Handling

Policy Statement

The Tweed Shire Complaints Handling Policy is a framework for the effective management of complaints. The Policy is a tool, which will enable dissatisfied residents, non-residents or any authority/organisation to make a complaint to Council and to have the complaint managed efficiently within Council.

A major outcome of this policy will be the improvement in Council's efficiency and effectiveness in handling complaints, improved service delivery and strengthening public support.

Complaint Definition

WHAT IS A COMPLAINT

- A complaint is an expression of dissatisfaction, made in respect to a Council Officer's role in the provision of service delivery or lack of service delivery that has allegedly affected an individual, group or body of stakeholders whether justified or not.

WHAT IS NOT A COMPLAINT

- A request for service is a customer work request (CWR). Examples are; reporting of road potholes, water leaks, dust and noise, overgrown allotments and dog issues
- A request for information or an explanation of a policy or procedure
- Objections to a development application before Council determination

A complaint can progress from Council's lack of action following the lodgement of a request for service or a request for information.

Sourcing of the Policy

The procedure is available on the:

- Council's Internet www.tweed.nsw.gov.au,
- Council's Intranet under Policies and Procedures
- At Council's Murwillumbah and Tweed Heads Civic Centres

How to Lodge a Complaint

Council's Preferred Action

- In writing to
The General Manager
Tweed Shire Council
P.O. Box 816
Murwillumbah NSW 2484
- By email to
tsc@tweed.nsw.gov.au

Other Forms of Lodgement

- Telephone Council on (02) 6670 2400 to a Council Officer
- In person at either of Council's Civic Centres at Murwillumbah or Tweed Heads.

Recording of Complaints

Council will record all complaints received in the Records Management System. The principal benefit for recording complaints is that it provides a valuable tool for identifying trends and organisational weaknesses. Further, the information will be utilised as part of a program of continuous improvement.

Council's Corporate Compliance Officer will analyse and report to Council on complaints received by type and outcomes/actions on a quarterly basis.

How Complaints are reviewed

Complaints will be reviewed in accordance with Council's Complaints Handling Procedure, which provides an efficient, fair and accessible mechanism for resolving complaints. It recognises, promotes and protects the rights of individuals or organisations to comment and complain.

The Complaints Handling Procedure is located on Council's web site and outlines the actions which Council Officers will implement at each of the three levels of complaint review handling.

Dealing with anonymous complaints

Anonymous complaints will not be rejected, however, Council's ability to investigate anonymous complaints will be dependent upon the substance of the information supplied.

Due to anonymity, Council will be unable to provide for any decision of actions taken.

Dealing with difficult complainants

Council recognises and accepts members of the public will sometimes display frustration or other behaviour. Council staff are to ensure difficult complainants are not unreasonably denied rights.

Protecting Complainants



Council acknowledges the rights of members of the public to make a complaint. Council will ensure that people who complain are not subjected to victimisation, harassment, discriminated against or other prejudged.

Disciplinary action will be taken against any member of staff who breaches this policy.

Complaints Handling Officer

Council's Corporate Compliance Officer is responsible for ensuring that Council's management of complaints is carried out in accordance with the Complaints Handling Policy and Procedures.

The Corporate Compliance Officer will monitor policy and procedure compliance and undertake independent investigations of complaints when requested.



Jetties and Pontoons (Private)

Version 1.0

Adopted by Council
at its meeting on
xxx
Minute No: xxx

Division:	Community & Natural Resources
Section:	Natural Resource Management
File Reference:	N/A
Historical Reference:	This policy supersedes Jetties & Public Foreshores version 1.1 which will become redundant as will the section on Private Jetties and Pontoons contained in v1.1 of the Sportsfields and Reserves Policy and Protocol

Jetties and Pontoons (Private)

GUIDELINES FOR THE INSTALLATION OF PONTOONS AND BOAT RAMPS

Pontoons

Pontoons for installation in canals and natural waterways are to be designed and constructed to withstand the expected loading from wind, wave action, berthing loads, flood and debris loads, in accordance with the Relevant Australian Design Standards. All applications must be in accordance with the Tweed River Domestic Structures Strategy (2008).

They must conform to the following guidelines:

1. All materials used in the construction are to be suitably corrosive resistant.
2. The pontoon and walkway is to be suitably tied to anchor blocks at ground level behind the revetment wall and be structurally independent of the revetment wall.
3. Pontoons are to be wholly located within the waterway allocation of the lot. The waterway allocation is illustrated in figure 1. The waterway allocation extends 12 m from the revetment wall, measured as an extension of the lot's side boundaries. The outside edge of the pontoon is to be no more than 1.5 m from the side boundary of the waterway allocation.
4. Private domestic pontoons for single lot use may be no more than 10 m in length. Larger pontoons may be considered for shared private, or commercial use.
5. Boats moored at the pontoon must not exceed the width of the lot's canal or waterway frontage.
6. The property owner must consent in writing to:
 - a) Remove the structure, at no cost to the Council, if directed, to permit Canal maintenance;
 - b) Maintain the structure in a safe and tidy condition;
 - c) The owner shall obtain Public Liability Indemnity Insurance to the value of \$10,000,000, documentary evidence of this is to be supplied prior to the finalisation of the license agreement;
 - d) A license agreement shall be entered into with Council/Department of Lands in respect of the use of that part of the public land (canal/drainage easement/natural waterway etc) owned by Council or the Crown, occupied by the proposed pontoon;
 - e) Fees will be applicable in accordance with Councils fees and charges, or as determined by Department of Lands.
7. The design must present a low visual profile and be aesthetically acceptable.

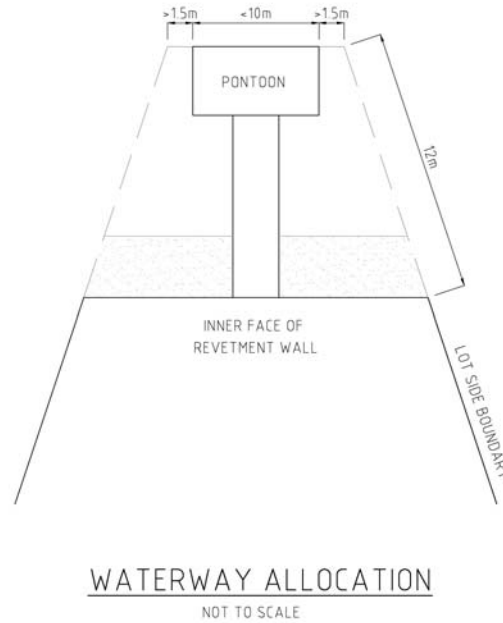


Figure 1 – Waterway Allocation

Boat Ramps

Ramps are to be constructed of concrete and must conform to the relevant Australian Standards, as well as the following guidelines:

1. Concrete to be not less than 150mm thick on the Canal side of the revetment wall.
2. Isolation joints are to be provided on either side of the revetment wall so that the slabs are not supported by it and can move independently.
3. Adequate cut-off walls are to be provided to prevent scouring under the slabs. Cut-off walls of 600mm depth at the end of the slab and 300mm at the side of the slab as a minimum should normally be provided.
4. Ramps should be wholly located within the frontage of the lot. Boats should be no wider than 3 m.
5. The outer end of the ramp is to be no more than 100mm above the level of the Beach.
6. The owner shall obtain public liability insurance to the value of \$10,000,000, documentary evidence of this is to be supplied to Council prior to the finalisation of the license agreement.
7. A license agreement shall be entered into with Council/Department of Lands in respect of the use of that part of the public land (canal/drainage easement/natural waterway etc) owned by Council or the Crown, occupied by the proposed pontoon;
8. Fees will be applicable in accordance with Councils fees and charges, or as determined by Department of Lands.



Applications

Development Applications must be submitted in accordance with Development Application Checklist – pontoons and Boat Ramps.



Media

Version 1.2

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at its meeting on
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Minute No: xxx

Division:	General Manager
Unit:	Communications and Marketing
File Reference:	N/A
Historical Reference:	Draft document @ 7/12/2007, v1.0 adopted 18/12/2007, 17 March 2009

MEDIA

This policy relates to Tweed Shire Council's dealing with all media including proactive and reactive enquiries, interviews, media alerts and releases.

Definitions

Media Refers to all print, electronic and broadcast media (including local, metropolitan, specialist, community and industry print, radio, broadcast and web media).

Objectives

- To ensure Council upholds its commitment to the community by keeping them informed of Council's actions and activities.
- To ensure media receive timely, accurate and reliable information from Council.
- To ensure Council manages and has knowledge of information that is conveyed to media relating to organisational operational matters.
- To ensure the distribution of all media is through Council's Communications and Marketing unit to maintain strong media relations and ensure all media outlets receive the information.
- To ensure Council communicates consistent and accurate messages by providing approval to speak directly to the media only to the Mayor and Councillors, General Manager, Directors or their nominated delegate and the Communications and Marketing unit.

Code of Conduct

The *Local Government Act 1993* requires every Council to adopt a Code of Conduct for observance by all Councillors, members of staff and delegates representing the Council. This policy will adhere to and enhance requirements set out in Council's Code of Conduct, in particular section 10.22 Public Comment by Council Officials.

Liaison with media outlets

All media outlets and their representatives are to be treated equally and without bias. All media releases, alerts, operational advice and other statements and announcements are to be provided to all and any relevant outlets for reporting.

Mayor and Councillors

The Mayor and Councillors are elected representatives of the community and are able to speak freely to the media to convey their personal opinion.

When the Mayor and Councillors are speaking in an official capacity and on behalf of Council they are encouraged to seek advice where necessary from the General Manager.

Before making any public comments on matters where Council is involved in current legal proceedings with third parties the Mayor and Councillors must seek prior advice from the General Manager as any public comment could have significant implications and repercussions including financial and legal consequences for Council.

The Mayor and Councillors will not disclose to the Media information from within Council that is not otherwise publically available. Examples of this would include conversations held between Mayor/Councillors, Mayor/Councillors and staff be it verbal, email, letters, memos, reports or in Workshops.

Preparing and issuing media releases

The Communications and Marketing unit is responsible for preparing and issuing media releases about Council's activities, decisions and plans.

Council staff who wish to contact the media should obtain the approval of their Manager/Director and then contact Communications and Marketing to determine the most appropriate media distribution.

Media organisations and the general public are encouraged to subscribe to the media release subscription service to ensure delivery of all Council media releases directly to their email. This service is available from the Media Centre at the Tweed Shire Council website www.tweed.nsw.gov.au.

Council media releases, alerts and operational advice will be distributed on a regular basis via the media release subscription service, facsimile and will be available online.

Providing a Council spokesperson for comment or interview

Wherever possible and practicable, Council will provide a spokesperson for comment or interview in support of a media release issued, or at the request of a media outlet.

Where a Council staff member is authorised to speak with representatives of media outlets, appropriate training and/or advice will be provided by the Communications and Marketing unit.

Any comment on operational matters about Council should be forwarded to the Communications and Marketing unit in the first instance.

Media seeking specific comment from the Mayor and Councillors should contact them directly through the contacts available at <http://www.tweed.nsw.gov.au/CouncilStructure/Councillors.aspx>.

Enquiries

All enquiries about Council should be forwarded to the Communications and Marketing unit in the first instance. The query will be responded to via a written response or an organised interview. In the rare event the Communication and Marketing unit cannot be contacted the media should make contact with the General Manager or relevant Director.

Media seeking specific comment from the Mayor and Councillors should contact them directly through the contacts available at <http://www.tweed.nsw.gov.au/CouncilStructure/Councillors.aspx>.

Responses

All responses to the media, excluding Councillor comments and those already approved by Directors, should be coordinated by the Communications and Marketing unit in a timely, accurate and reliable manner and in writing where possible.

Delegation

Only the Mayor and Councillors, General Manager, Directors or their nominated delegate and the Communications and Marketing unit are to speak directly to the media. Unit Managers or other Council staff should only be interviewed once approval has been given by their Director.

Media access to Council Business Papers and associated information

Media organisations will have access to Council Business Papers as near as possible to the time they are available to Councillors (as per Council's Code of Meeting Practice).

An email advising of the Business Papers being available online will be sent to the media release subscription service when they are available prior to a Council meeting. Alternatively limited hard copies will be produced for those media organisations who regularly attend Council meetings.

Media Planning

To assist proactive media planning, all projects developed by Council which will require publicity or distribution of information to the public, should be included in Council's proactive 'Communications and Marketing' reporting and communicated to the Communications and Marketing unit, giving at least five working days in advance of the targeted activity and a minimum of ten days if it is to appear in the Tweed Link.



Riverbanks

Version 1.2

Adopted by Council
at its meeting on
xxx
Minute No: xxx

Division:	Community & Natural Resources
Section:	Natural Resource Management
File Reference:	
Historical Reference:	1.0 adopted 15/12/200 1.1 Adopted 13 November 20074

Riverbanks

Protection Work

Bank protection for properties with High Water Mark boundaries to be the responsibility of the owners.

Maintenance and restoration to be carried out as required where erosion places at risk a public road or similar asset. Council encourages retention and rehabilitation of existing native vegetation where possible.

Council provide advice for proposed works for stream bank stabilisation and erosion control.

Development Approval is required for any bank protection works.

Riverbank protection works to be in accordance with the Tweed River Estuary Bank Management Plan, November 1998.



Sportsfields and Reserves

Version 1.2

Adopted by Council
at its meeting on
xxx
Minute No: xxx

Division:	Planning & Regulations
Section:	Recreation Services
File Reference:	
Historical Reference:	1.0 Adopted 15/12/2004, 13 November 2007

Sportsfields and Reserves

Maintenance of Foreshore Reserves

Objective

To provide well managed Public Foreshores throughout the Tweed Council area and to assist where possible public participation with maintenance and development.

Residents of properties separated from waterways by a public reserve will be permitted and encouraged to maintain the reserve area in front of their properties. Improvement and river bank protection may be undertaken by them using approved materials, such as quarried rock for foreshore protection, provided no impediment to public usage results.

Bank protection at Sunset Boulevard and similar areas of public reserve foreshore to be carried out when Council allocates funds to develop the foreshore areas for public use. In the interim, private work by residents to be permitted and encouraged.

All work proposed is to be submitted to Council for approval prior to commencement of work.

Maintenance and restoration be carried out as required where erosion places at risk a public road or similar asset.

Council encourages retention of existing vegetation as and where possible.