



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

Councillors: P Allsop
R Byrnes
C Cherry (Deputy Mayor)
R Cooper
J Owen
W Polglase

Agenda

Ordinary Council Meeting Thursday 7 September 2017

held at **Harvard Room, Tweed Heads Administration Building, Brett Street, Tweed Heads** commencing at the conclusion of the Planning Committee meeting which commences at 5.30pm.

Principles for Local Government

The object of the principles for Tweed Shire Council, as set out in Section 8 of the Local Government Amendment (Governance and Planning) Bill 2016, is to provide guidance to enable council to carry out its functions in a way that facilitates a local community that is strong, healthy and prosperous.

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

The following general principles apply to the exercise of functions by Tweed Shire Council:

- (a) Provide strong and effective representation, leadership, planning and decision-making.
- (b) Carry out functions in a way that provides the best possible value for residents and ratepayers.
- (c) Plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
- (d) Apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
- (e) Work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
- (f) Manage lands and other assets so that current and future local community needs can be met in an affordable way.
- (g) Work with others to secure appropriate services for local community needs.
- (h) Act fairly, ethically and without bias in the interests of the local community.
- (i) Be responsible employers and provide a consultative and supportive working environment for staff.

(2) Decision-making

The following principles apply to decision-making by Tweed Shire Council (subject to any other applicable law):

- (a) Recognise diverse local community needs and interests.
- (b) Consider social justice principles.
- (c) Consider the long term and cumulative effects of actions on future generations.
- (d) Consider the principles of ecologically sustainable development.
- (e) Decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

(3) Community participation

Council should actively engage with the local community, through the use of the integrated planning and reporting framework and other measures.

Items for Consideration of Council:

ITEM	PRECIS	PAGE
	CONFIRMATION OF PLANNING COMMITTEE MINUTES	4
1	[CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 7 September 2017	4
	ORDERS OF THE DAY	6
2	[NOM] Bray Park Weir	6
	REPORTS THROUGH THE GENERAL MANAGER	8
	REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES	8
3	[CNR-CM] Communications Tower - Casuarina Sports Fields	8

CONFIRMATION OF PLANNING COMMITTEE MINUTES

1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 7 September 2017

SUBMITTED BY: Corporate Governance

mhm



Making decisions with you
We're in this together

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 2 Making decisions with you
- 2.2 Engagement
- 2.2.4 Councillor and Civic Business - To provide assistance to Councillors and support for Council to operate within its legal framework.

ROLE: Leader

SUMMARY OF REPORT:

The recommendations of the Ordinary Planning Committee Meeting held Thursday 7 September 2017 require their adoption by Council for the resolutions to be acted upon.

RECOMMENDATION:

That the recommendations of the Ordinary Planning Committee Meeting held Thursday 7 September 2017 be adopted.

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

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 or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

Nil.

ORDERS OF THE DAY

2 [NOM] Bray Park Weir

NOTICE OF MOTION:

Councillor James Owen moves that:

Due to the recent salt water inundation at the Bray Park Weir, a report is brought forward on the technical requirements and options for raising the Bray Park Weir to prevent such occurrences in the future.

Councillor's Background Notes

Recommended Priority:

Following consideration of the report due priority will be provided to this project.

Description of Project:

Possible raising of Bray Park Weir.

Management Comments:

Delivery Program:



Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- | | |
|-------|--|
| 1 | Leaving a Legacy |
| 1.3 | Utility Services |
| 1.3.4 | Water Supply -- To provide secure, high quality and reliable drinking water which meets health and environmental requirements. |

ROLE: **Provider** **Leader**

An external review of the Risk Associated with the Overtopping of Bray Park Weir is currently in the latter stages of finalisation and can be submitted to Council for their review and consideration if required.

Budget/Long Term Financial Plan:

Various options exist for securing of the Tweed Water Supply in times of drought or other emergency and the indicative costs of these can be presented to Council for consideration.

Legal Implications:

There are upstream impacts of the raising of the weir which have in the past caused significant concern for property owners. There are significant risks to Council and Council's water supply if no action is taken.

Policy Implications:

As per Council's Community Strategic Plan 2017/2027, Council is required to provide a secure and high quality drinking water service which meets health and environmental requirements and projected demand.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR COMMUNITY AND NATURAL RESOURCES

3 [CNR-CM] Communications Tower - Casuarina Sports Fields

SUBMITTED BY: Recreation Services

mhm



People, places and moving around

Who we are and how we live

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 3 People, places and moving around
- 3.2 Places
- 3.2.9 Sporting Fields - To provide a range of accessible sports facilities and major event venues to promote an active and healthy lifestyle.

ROLE: **Advocate**

SUMMARY OF REPORT:

In March 2017 Council received a notification from Optus informing of a proposed upgrade to a telecommunications base station located at the Casuarina Sports Fields including public notification in the Daily News newspaper.

The installation is exempt development under the *State Environmental Planning Policy (infrastructure) 2007*.

As Council was considering a Draft Telecommunications Facilities on Council Owned Land Policy, Optus also responded to the requirements of the draft policy at the time. However, as the timeframe for the adoption of a draft policy has been extended, Optus is eager to progress this particular proposal as a matter of urgency

As this proposal is an extension to an existing facility the impact is considered minor and the sports field tenants have advised that they have no objections to the proposal. Therefore it is recommended that Council enters into a lease to Optus for the extension of the existing telecommunications facility located at the Casuarina sports field.

RECOMMENDATION:

That:

- 1. Council approves entering into a lease for a portion of Lot 10 DP 1014470 with Optus for the purposes of installing telecommunications equipment.**
- 2. The lease documents be executed under the Common Seal of Council.**

REPORT:

Background:

Council was approached by Urbis Pty Ltd on behalf of Optus in 2016 proposing telecommunications facilities at a number of sites on Council managed land on the Tweed coast. Council did not have a policy to provide guidance to the proponent or Council officers on the level of information required to be provided by the proponent for Councils consideration. As a result, Council held the proposals in abeyance until a *Telecommunications Facilities on Council Owned Land Policy* could be developed and adopted.

Casuarina Sports Fields Facility

One of the proposals from Urbis was not a new facility but the upgrade of an existing facility located at the Casuarina Sports Fields. In March 2017 Council received a formal notification from Urbis informing of a proposed upgrade to this telecommunications base station including public notification in the Daily News newspaper.

As Council was considering a Draft Telecommunications Facilities on Council Owned Land Policy, Urbis also responded to the requirements of the draft policy at the time (attachment). However as the timeframe for the adoption of a draft policy has been extended, Optus are eager to progress this particular proposal as a matter of urgency

Figures 1 to 5 illustrate the proposed and existing facilities. Urbis has undertaken all formal notifications required by legislation and has also consulted with the field tenant (Casuarina Rugby Union) at Council's request. The casuarina Rugby Union Club has confirmed with Council that they were consulted and have no objections to the proposal. As this proposal is an extension to an existing facility and the impact is considered minor, it is recommended that Council enters into a lease to Optus for the extension of the existing telecommunications facility located at the Casuarina sports field.



Figure 1: existing facility footprint and proposed facility footprint

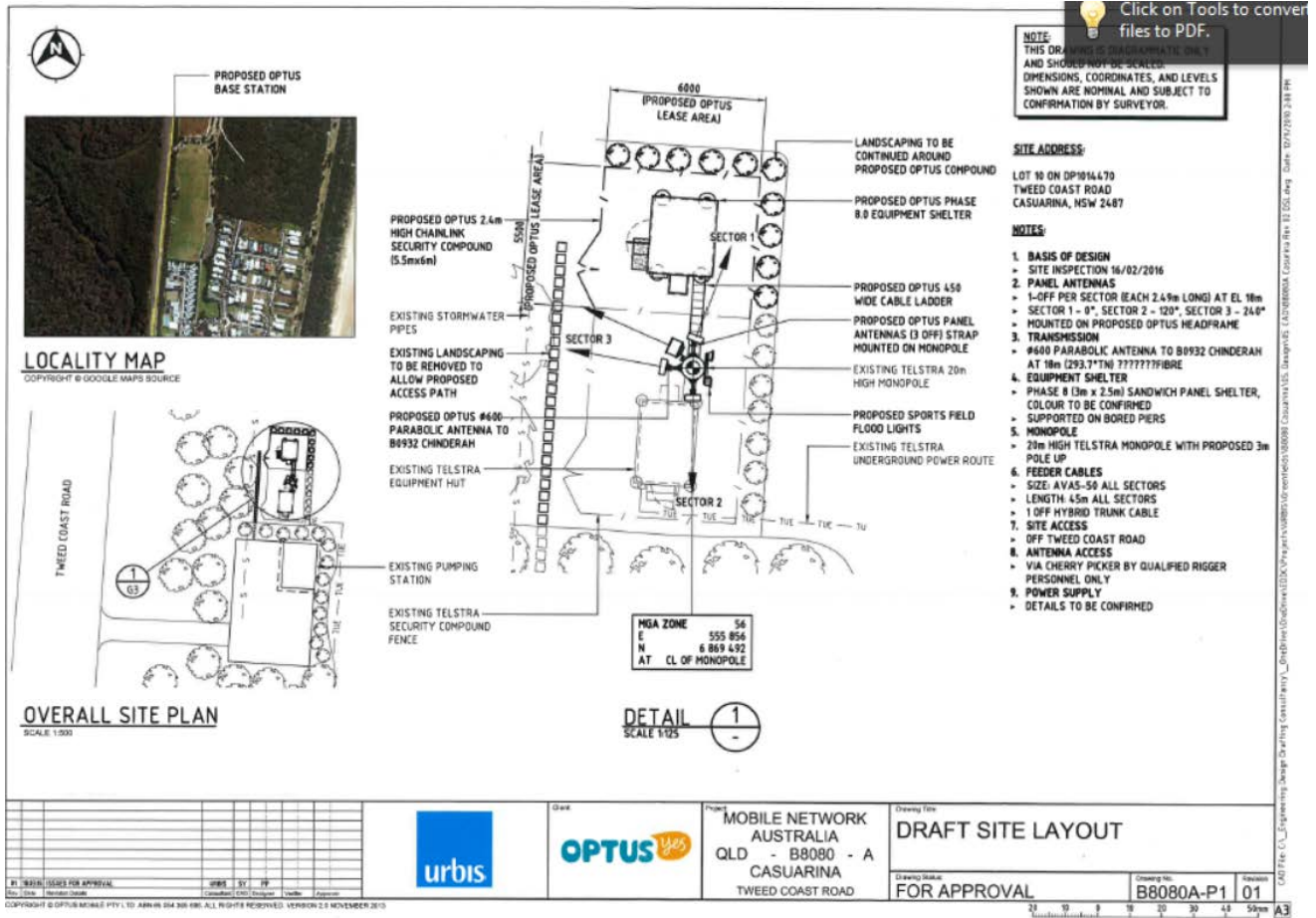


Figure 2: Site layout

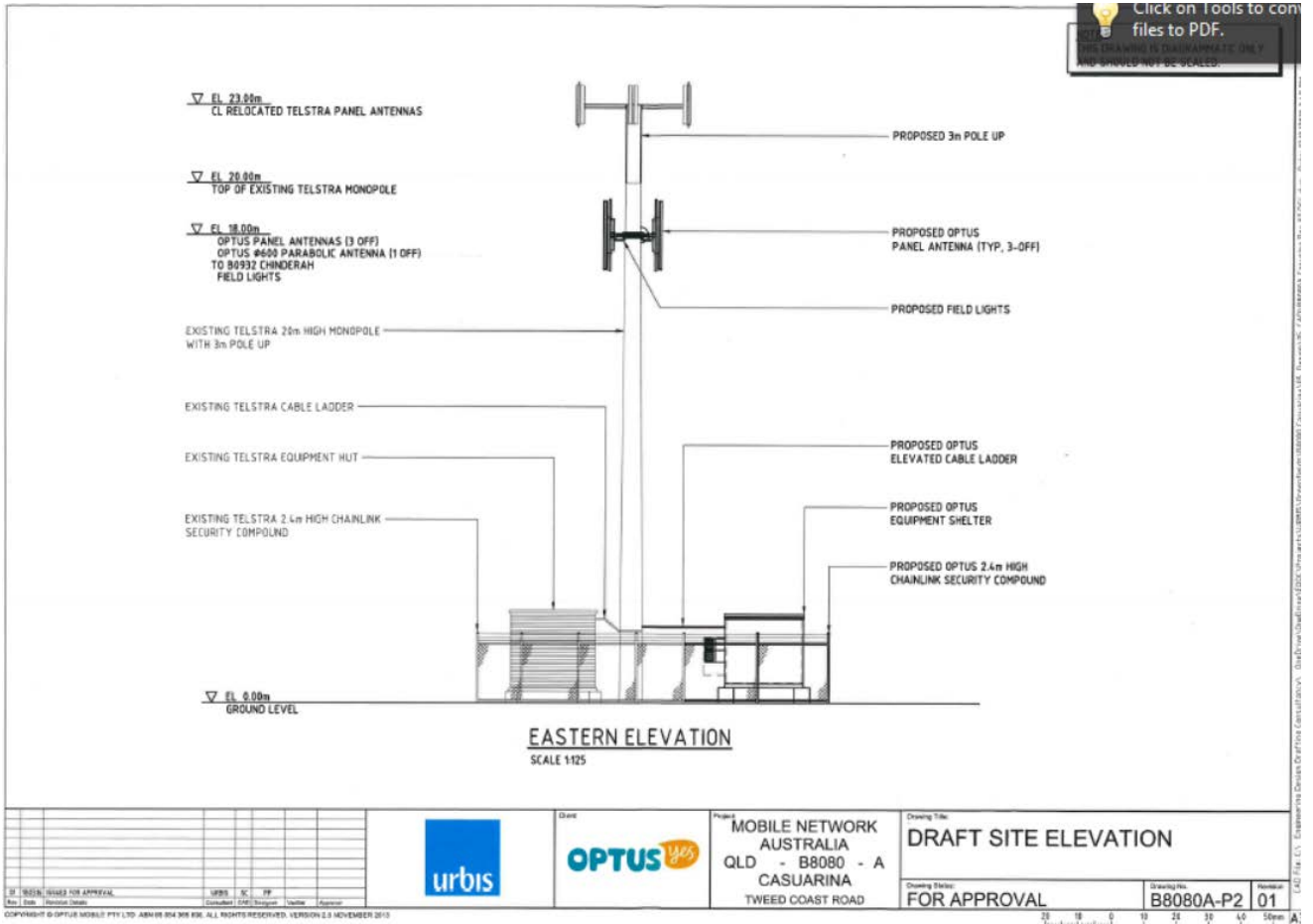


Figure 3: Eastern elevation



Figure 4: Existing facility



Figure 5: Photomontage of proposed facility

OPTIONS:

1. That Council approves entering into a lease for a portion of Lot 10 DP 1014470 with Optus for the purposes on installing telecommunications equipment.
2. That Council does not approve entering into a lease for a portion of Lot 10 DP 1014470 with Optus for the purposes on installing telecommunications equipment.

CONCLUSION:

Council has been developing a *Telecommunications Facilities on Council Owned Land* Policy to ensure a level of rigour is applied to proponents of new telecommunication facilities in the Shire. The proposal for an expansion to the

existing facility on the Casuarina Sports Fields was received in 2016 and has been delayed

COUNCIL IMPLICATIONS:

a. Policy:

Draft Telecommunications Facilities on Council Owned Land.

b. Budget/Long Term Financial Plan:

The rent calculation for a 20 year period is \$268,704.00 based on \$10,000 in year 1 and 3% annual escalation.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Consult-We will listen to you, consider your ideas and concerns and keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Environmental EME Report (ECM 4725408)

Attachment 2. Compliance with Draft Telecommunications Facilities on Council Owned Land (ECM 4725464)