



**TWEED**  
SHIRE COUNCIL

**Mayor:** Cr K Milne

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

# Agenda

## **Ordinary Council Meeting Thursday 2 August 2018**

held at

**Council Chambers, Murwillumbah Civic & Cultural Centre,  
Tumbulgum Road, Murwillumbah**

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.

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## CONFIRMATION OF PLANNING COMMITTEE MINUTES

### 1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 2 August 2018

**SUBMITTED BY:** Corporate Governance

mhm

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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**

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#### SUMMARY OF REPORT:

The recommendations of the Ordinary Planning Committee Meeting held Thursday 2 August 2018 require their adoption by Council for the resolutions to be acted upon.

#### RECOMMENDATION:

**That the recommendations of the Ordinary Planning Committee Meeting held Thursday 2 August 2018 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](http://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.

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## ORDERS OF THE DAY

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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**

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- 2 [NOR] Development Application DA17/0172 for a Staged Development for Mixed Use Development Comprising a Pub, Restaurant, Cafe, Retail Premises, Commercial Premises, Community Facilities, Medical Centre, Indoor Recreation Facility and Markets - Stage 1 - Vehicle Access at Chinderah Bay Drive, Chinderah; Lot A & B DP 408067 No. 14 River Street, Chinderah; Lot 1 DP 1080842 No. 140 Chinderah Bay Drive, Chinderah; Lot 3 DP 913262 No. 154 Chinderah Bay Drive, Chinderah; Lot 1 DP 371689 No. 156 Chinderah Bay Drive, Chinderah; Lot 2 DP 781464 No. 158-160 Chinderah Bay Drive, Chinderah; Lot 6 DP 8825 No. 7 Terrace Street, Chinderah; Lot 1 & 2 DP 781888; Lot 21 DP 260722 No. 92 Chinderah Bay Drive, Chinderah; Lot 1 DP 32406; Lot 12 DP 260722; Lot 462 & 463 DP 755701 & Lot 470 DP 755701 River Street, Chinderah**

### NOTICE OF RESCISSION:

Councillor K Milne, R Cooper and C Cherry hereby give notice that at the next Ordinary meeting of Council we will move that the resolution from the meeting held on Thursday 19 July 2018 at Minute No 353 Item No 17 titled [PR-CM] Development Application DA17/0172 for a Staged Development for Mixed Use Development Comprising a Pub, Restaurant, Cafe, Retail Premises, Commercial Premises, Community Facilities, Medical Centre, Indoor Recreation Facility and Markets - Stage 1 - Vehicle Access at Chinderah Bay Drive, Chinderah; Lot A & B DP 408067 No. 14 River Street, Chinderah; Lot 1 DP 1080842 No. 140 Chinderah Bay Drive, Chinderah; Lot 3 DP 913262 No. 154 Chinderah Bay Drive, Chinderah; Lot 1 DP 371689 No. 156 Chinderah Bay Drive, Chinderah; Lot 2 DP 781464 No. 158-160 Chinderah Bay Drive, Chinderah; Lot 6 DP 8825 No. 7 Terrace Street, Chinderah; Lot 1 & 2 DP 781888; Lot 21 DP 260722 No. 92 Chinderah Bay Drive, Chinderah; Lot 1 DP 32406; Lot 12 DP 260722; Lot 462 & 463 DP 755701 & Lot 470 DP 755701 River Street, Chinderah being:

*"that Development Application DA17/0172 for a Staged Development for Mixed Use Development Comprising a Pub, Restaurant, Café, Retail Premises, Commercial Premises, Community Facilities, Medical Centre, Indoor Recreation Facility and*

Markets – Stage 1 – Vehicle Access at Chinderah Bay Drive, Chinderah; Lot A & B DP 408067 No. 14 River Street, Chinderah; Lot 1 DP 1080842 No. 140 Chinderah Bay Drive, Chinderah; Lot 3 DP 913262 No. 154 Chinderah Bay Drive, Chinderah; Lot 1 DP 371689 No. 156 Chinderah Bay Drive, Chinderah; Lot 2 DP 781464 No. 158-160 Chinderah Bay Drive, Chinderah; Lot 6 DP 8825 No. 7 Terrace Street, Chinderah; Lot 1 & 2 DP 781888; Lot 21 DP 260722 No. 92 Chinderah Bay Drive, Chinderah; Lot 1 DP 32406; Lot 12 DP 260722; Lot 462 & 463 DP 755701 & Lot 470 DP 755701 River Street, Chinderah be approved subject to the following conditions:

## **GENERAL**

1. *The development shall be completed in accordance with the Statement of Environmental Effects and the following plans:*

- *Staging Plan (Drawing No. DA1201) prepared by Hamilton Hayes Henderson Architects and dated October 2016, as amended in red;*
- *Proposed Vehicle Crossover Layout Plan and Section (Drawing No. C32 Rev A) prepared by ADG and dated 18 November 2016, as amended in red, and*
- *Ficus virens ssp. lanceolata (White Fig - Tree No. 8) Protection Plan prepared by Tweed Shire Council, July 2018*

*except where varied by the conditions of this consent.*

[GEN0005]

2. *The proposed future stages of the development (Stages 2 - 6) must be the subject of a separate development consent.*

[GEN0035]

3. *The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.*

[GEN0115]

4. *Approval is given subject to the location of, protection of, and/or any necessary approved modifications to any existing public utilities situated within or adjacent to the subject property, as applicable to Stage 1 works only.*

[GEN0135]

5. *Sewer manholes are present on this site. Manholes are not to be covered with soil or other material.*

*Should adjustments be required to the sewer manhole, then applications for these works must be submitted on Council's standard Section 68 Application form accompanied by the required attachments and the prescribed fee. Works will not be approved until prior separate approval to do so has been granted by Council under Section 68 of the Local Government Act.*

[GEN0155]

6. *Council advises that the site is flood liable with a Design Flood Level of 3.2m AHD.*

- (a) *All new building materials used below Council's Design Flood Level must not be susceptible to water damage.*



- (b) *Subject to the requirements of the local electricity supply authority, all electrical wiring, outlets, switches etc. for the proposed building should, to the maximum extent possible be located above the Design Flood Level. All new electrical wiring installed below the Design Flood Level should to suitably treated to withstand continuous submergence in water and provide appropriate earth leakage devices.*
- (c) *Provide adequate provision for the flood free storage for goods and equipment susceptible to water damage.* [GEN0195]
7. *The development is to be carried out in accordance with Council's Development Design and Construction Specifications.* [GEN0265]
8. *The owner is to ensure that the proposed building is constructed in the position and at the levels as nominated on the approved plans or as stipulated by a condition of this consent, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.* [GEN0300]
9. *This development consent does not include demolition of any existing structures on the subject site, except that associated with Stage 1. Future approval for demolition works associated with Stages 2 to 6 will need to be obtained, as applicable.* [GEN0305]
10. *The development shall be undertaken in accordance with the recommendations of the Cultural Sites Inspection Survey Report, prepared by Tweed Byron Local Aboriginal Land Council, dated 2016.*
11. *As part of Stage 1 works kerb and gutter is to be provided to the entirety of the Chinderah Bay Drive site frontage with exception to the existing formed driveway crossover at the Tavern and the driveway proposed as part of Stage 1 works.*
12. *All driveway applications are to be in accordance with Council's "Vehicular Access to Property Construction Specification". The proposed south car park access from Chinderah Bay Drive is considered to be too close to the existing tavern access and may result in undesirable vehicle conflict. The two driveways are to be combined to one wider configuration or separated by at least 40m for adequate driver decision making when the stage specific development applications are lodged which deal with this element of the proposal.*
13. *All vehicular parking and service vehicle areas proposed under this development are to comply with AS2890 requirements and Development Control Plan Section A2 - Site Access and Parking Code with respect to access, parking and manoeuvring.'* [GENNS01]
14. *The only fill material that may be received at the development is:*
-

- a) *Virgin excavated natural material (within the meaning of the Protection of the Environment Operations (POEO) Act);*
- b) *Any other waste-derived (fill) material the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005 that is permitted to be used as fill material, excluding waste tyre.*

*Any waste-derived fill material the subject of a resource recovery exemption received at the development site must be accompanied by documentation as to the material's compliance with the exemption conditions and must be provided to the Principal Certifying Authority or Council on request.*

15. *The exportation of waste (including fill or soil) from the site must be in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the Office of Environment and Heritage "Waste Classification Guidelines". Excavated material shall be disposed of at an approved landfill facility unless material has been demonstrated to be the subject of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005.*
16. *Future development consent or complying development certificate shall be obtained prior to fit out of any food premise.*
17. *Future stages shall be the subject of detailed design stage specific acid sulfate soil management plan and acoustic assessment to the satisfaction of the General Manager or his delegate.*
18. *Stage 1 road entry construction shall comply with the recommendations of Part 6.1 of the Environmental Noise Impact Report CRG Acoustics, 8 February 2017 (crgref: 16080 report rev. 1) to the satisfaction of the General Manager or his delegate.*
19. *A site audit statement (SAS) completed by a NSW EPA / (DECC) accredited site auditor in accordance with the Contaminated Land Management Act 1997, is to be submitted to Council to the satisfaction of the General Manager or his delegate prior to the release of the occupation certificate for Stage 2. The SAS is to certify that the land is suitable for the proposed land use.*  
[GENNS01]
20. *That area identified as requiring remediation under the Addendum to Preliminary Site Investigation and Remediation Action Plan HMC Environmental, September 2016 (HMC2016.082) shall not be disturbed as part of the Stage 1 works.*
21. *Future development applications shall demonstrate the provision of a pedestrian mid-block connection on Chinderah Bay Drive to Council's requirements.*  
[GENNS02]
22. *The attached GTA issued by DPI Water do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to DPI Water for a Controlled Activity approval after consent has been issued by Council and before the commencement of any work or activity.*

23. *The tree identified as Ficus virens ssp. lanceolata (White Fig - Tree No. 8) in Vegetation Management Plan (VMP\*) dated 26 March 2017 prepared by Byrns Lardner shall be retained and afforded adequate protection for the life of the development. The following activities are prohibited from occurring within an entire minimum 15 metre radius protection zone (measured from the base of the tree) as generally shown on Dwg. No. CH102\_VSP Issue A of the VMP:*
- a. *Storage and mixing of materials, vehicle parking, liquid disposal, machinery repairs and /or refuelling;*
  - b. *Construction of temporary site office or shed;*
  - c. *Combustion of any material;*
  - d. *Stockpiling of soil, rubble or debris;*
  - e. *Any filling or excavation including trenching, topsoil skimming and/or surface excavation,*
  - f. *Unauthorised application of pesticides, herbicides or chemicals.*
  - g. *Erection of any fixtures or improvements, including buildings or structures*
  - h. *Performance of any other acts which may have detrimental impact on the health and long term viability of the tree*
- \*Reference to the VMP is for tree identification only and does not infer acceptance or approval of the VMP.*
24. *The approved development shall not result in any clearing of native vegetation for any purpose without prior consent from Council unless authorised under a Council approved site based Vegetation and Fauna Management Plan.*
25. *The development shall not result in the removal, damage or disturbance of 'prescribed vegetation' as defined in the Tweed Development Control Plan Section A16 Preservation of trees or vegetation occurring within the River Street road reserve adjacent to the subject site unless otherwise approved by Council's General Manager or delegate.*
26. *A Koala Offset Management Plan (KOMP) prepared by persons suitably qualified in Zoology, Botany and/or Ecology in accordance with Appendix C - Offset Provisions including Table 2: Offset pathway for other development outside of a KAP or KLP of the Tweed Coast Comprehensive Koala Plan of Management 2015 (TCCKPoM), must be submitted with any subsequent development application that involves the removal of Preferred Koala Habitat or Preferred Koala Food Trees as defined in the TCCKPoM. A KOMP must be approved prior to the issue of any development consent for each relevant stage to which a KOMP is required in accordance with conditions of this consent.*
27. *A site based Vegetation and Fauna Management Plan (V&FMP) shall be submitted for each of the following stages of the development as shown on Dwg. No. DA-1201 Staging Plan Revision A Chinderah Bay Drive Chinderah NSW dated October 2016 prepared by Hamilton Hayes Henderson Architects:*
- *Stage 2 - New Tavern, Carpark and Village Green*
  - *Stage 3 - Markets*
  - *Stage 4 - Supermarket/Shops & Parking*

- Stage 5 - Non-Retails Use & Parking

28. *The V&FMP shall be prepared by a suitably qualified ecologist/project arborist in accordance with Australian Standard AS4970:2009 Protection of trees on development sites to include the following:*
- Identification of trees to be removed and trees to be retained overlaid on a development layout and associated preliminary earthworks/civil plans*
  - Provide adequate separation between trees on neighbouring land (not forming part of the subject application) and any earthworks, built form, services or the like to avoid adverse impact on tree health and long term viability*
  - Demonstrate protection of 'prescribed vegetation' occurring within the River Street road reserve adjacent to the subject site*
  - Show the location, alignment and specifications of tree protection fencing*
  - Details of arboricultural contingency actions/measures, responsibilities and reporting*
  - Demonstrate retention and protection of naïve vegetation within the adjacent road reserve*
  - Provide details of construction and operational phase arboricultural management measures to retain, protect and maintain the long term viability of the *Ficus virens ssp. lanceolata* (White Fig - Tree No. 8) as described in Vegetation Management Plan (VMP\*) dated 26 March 2017 prepared by Byrns Lardner*
  - Identification of known and potential habitat trees (displaying values such as hollows, fissures, nests, drays, arboreal termitaria used as nests etc.) and description of fauna species known/likely to utilise habitat features*
  - Information on how trees are to be inspected for denning or nesting animals including constraints for inspecting trees (to provide acceptable alternative methods) and summary of removal and relocation methods for each faunal group (including observed species and species likely to occur in the area to be disturbed)*
  - Specify licencing requirements to manage wildlife*

*Each V&FMP shall be approved by Councils General Manager or delegate prior to issue of development consent for each respective stage.*

*\*Reference to the VMP is for tree identification only and does not infer approval of the VMP.*

[GENNS02]

29. *Future development applications shall comply with the provisions of Section A3 - Development of Flood Liable Land of Council's Tweed Development Control Plan, including a Flood Impact Assessment demonstrating that the development, when considered in isolation and cumulatively, will not result in adverse impact on local flood behaviour or adjoining land.*

*Fill associated with any stage of the development must be graded at a minimum of 1% so that it drains to an approved drainage system. At no time shall the development result in additional runoff or ponding occurring within neighbouring properties.*

[GENNS03]

30. *Each future development application shall include:*
- *a Traffic Assessment prepared by a qualified Traffic Engineer to determine the developments impact on the local road network and determine if upgrades are required.*
  - *an assessment determining car parking requirements against Council's Development Control Plan - Section A2 "Site Access and Parking Code", taking into consideration existing, approved uses on site.*
  - *Evidence of endorsement from NSW Roads and Maritime Services (RMS), as applicable.*
31. *All lots associated with this consent are to be consolidated into one (1) lot under one (1) title. The Plan of Consolidation shall be registered with the Lands and Property Information (LPI) (formerly the Lands Titles Office) prior to issue of any occupation certificate.*
32. *A minimum 3.0 metre easement shall be created over the existing 150mm dia sewer located within existing lot 2 DP 781464 (or the future consolidated allotment).*
33. *The proposed water and sewer infrastructure on the Civil Works Plan submitted are considered to be preliminary and are subject to change to meet Council requirements.*
34. *Future development applications shall include (as applicable):*
- *A Water Management concept report including staging, assumptions, calculations used in determining design demands and layout plans shall be provided. The report shall include (where applicable) how capacity for future stages is incorporated and any upgrade works to either the existing or future system to enable the servicing of the development including the provision of a network analysis of the reticulation system detailing the pressure distribution.*
  - *A Sewerage Management concept report including staging information, assumptions, and calculations used in determining design flows and layout plans shall be provided. Other pertinent considerations such as pipeline self-cleansing, downstream pumping station upgrade requirements including detention time in rising mains, septicity and odour control and staging of capacity information shall be submitted to TSC for approval. The report shall include how capacity for future stages is incorporated and any upgrade works to either the existing or future system to enable the servicing of the development.*
35. *A certificate of compliance (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 is to be obtained from Council for each future stage to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.*

*Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, a Construction Certificate shall NOT be issued by a Certifying Authority for future stages unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Certificate of Compliance" signed by an authorised officer of Council.*

36. *If the development is likely to disturb or impact upon water or sewer infrastructure (eg: extending, relocating or lowering of pipeline), written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first. Applications for these works must be submitted on Council's standard Section 68 Application to Carry out Water Supply or Sewerage Work form accompanied by the required attachments and the prescribed fee. The arrangements and costs associated with any adjustment to water and wastewater infrastructure shall be borne in full by the applicant/developer.*

[GENNS04]

37. *The Service / Loading Bays and associated maneuvering areas for both the proposed new Tavern (Stage 2) and proposed Supermarket (Stage 4) shall accommodate a 12.5m HRV as defined in Council's Development Control Plan - Section A2 "Site Access and Parking Code".*

- *The service areas shall be physically separated from the general car parking area.*
- *Service vehicles only may access the site from River Street.*
- *Future applications, as applicable shall include turning templates to confirm safe and compliant vehicle movement.*

[GENNS05]

38. *Future development applications, shall include (as applicable):*

- *Detailed Conceptual Stormwater Management Plans for the occupational or use stage of the development prepared in accordance with Section D7.07 of Councils Development Design Specification D7 - Stormwater Quality.*
  - *Permanent stormwater quality treatment shall comply with section 5.5.3 of the Tweed Urban Stormwater Quality Management Plan and Councils Development Design Specification D7 - Stormwater Quality.*
  - *It is encouraged that Water Sensitive Urban Design principles such as bio-retention facilities in accordance with "Water By Design" guidelines (being a program of the South East Queensland Healthy Waterways Partnership) are utilised, instead of installing an "end of line" proprietary Gross Pollutant Device.*
- *A Hydraulic Assessment of the downstream receiving drainage network to determine if on-site detention and/or upgrading of the downstream drainage network is required.*

[GENNS06]

39. *The subject site is located within 40 metres of a watercourse. As such any required permits are to be obtained from the NSW Office of Water (Department of Primary Industries) pursuant to s.89, 90 and 91 of the Water Management Act 2000, prior to issue of a Construction Certificate for each stage of development, as applicable.*

[GENNS07]

40. *Fencing detail is to be provided to the Principal Certifying Authority for each stage of the development, as applicable detailing a form that will either allow the free passage of flood water or be of a light construction such as timber paling that will collapse as a result of any build-up of floodwater or debris.*

[GENNS08]

41. *The development is to address the existing stormwater easements / restrictions on title over Lot 1 DP1080842, as applicable to each stage of the development.*

[GENNS09]

### **PRIOR TO COMMENCEMENT OF WORK**

42. *The proponent shall accurately locate and identify any existing sewer main, stormwater line or other underground infrastructure within or adjacent to the site and Tweed Shire Council's Water and Wastewater Unit advised of its location and depth prior to commencing works and ensure there shall be no conflict between the proposed development and existing infrastructure prior to start of any works, as applicable to each stage of the development.*

[PCW0005]

43. *Prior to the commencement of works, the applicant shall ensure that a Site-Specific Safety Management Plan and Safe Work Methods for the subject site have been prepared and put in place in accordance with either:-*

(a) *Occupation Health and Safety and Rehabilitation Management Systems Guidelines, 3<sup>rd</sup> Edition, NSW Government, or*

(b) *AS4804 Occupation Health and Safety Management Systems - General Guidelines on Principles Systems and Supporting Techniques.*

(c) *WorkCover Regulations 2000*

[PCW0025]

44. *Prior to the commencement of works for Stage 1, application shall be made to Tweed Shire Council under Section 138 of the Roads Act 1993 for the removal of an existing traffic island and construction of a new, vehicular access in accordance with Council's Development Control Plan - Section A2 "Site Access and Parking Code" and Council's "Driveway Access to Property - Design Specification" (current version).*

*Applications shall include (as applicable) engineering plans and specifications undertaken in accordance with Council's Development Design and Construction Specifications, including:*

- *Road works/furnishings*
- *Stormwater drainage*

- Sediment and erosion control plans
- Location of all services/conduits
- Traffic Control Plan

[PCC0895]

### **DURING CONSTRUCTION**

45. All proposed works are to be carried out in accordance with the conditions of development consent, approved Management Plans, approved Construction Certificate, drawings and specifications, as applicable to each stage of the development.

[DUR0005]

46. Should any Aboriginal object or cultural heritage (including human remains) be discovered all site works must cease immediately and the Tweed Byron Local Aboriginal Land Council (TBLALC) Aboriginal Sites Officer (on 07 5536 1763) are to be notified. The find is to be reported to the Office of Environment and Heritage. No works or development may be undertaken until the required investigations have been completed and any permits or approvals obtained, where required, in accordance with the National Parks and Wildlife Act, 1974.

[DUR0025]

47. All works shall comply with AS2601-2001 Demolition of Structures and the Work Health and Safety Regulation 2011.

[DUR0165]

48. Construction and/or demolition site work associated with all stages of the development, including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 6.00pm

No work to be carried out on Sundays or Public Holidays

The proponent is responsible to instruct and control subcontractors regarding hours of work.

[DUR0205]

49. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment associated with all stages of the development. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

A. Short Term Period - 4 weeks.

$L_{Aeq, 15 \text{ min}}$  noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

B. Long term period - the duration.

$L_{Aeq, 15 \text{ min}}$  noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

[DUR0215]



50. *Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.*

[DUR0395]

51. *It is the responsibility of the applicant to restrict public access to the construction works site, construction works or materials or equipment associated with all stages of the development when construction work is not in progress or the site is otherwise unoccupied in accordance with WorkCover NSW requirements and Work Health and Safety Regulation 2011.*

[DUR0415]

52. *Excavation*

- (a) *All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with WorkCover 2000 Regulations.*
- (b) *All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.*

[DUR0425]

53. *If the work involved in the erection or demolition of a building:*

- (a) *is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or*
- (b) *building involves the enclosure of a public place,*

*a hoarding or fence must be erected between the work site and the public place in accordance with the WorkCover Authority of NSW Code of Practice and relevant Australian Standards.*

*Where necessary the provision for lighting in accordance with AS 1158 - Road lighting and provision for vehicular and pedestrian traffic in accordance with AS 1742 shall be provided.*

*Any such hoarding, fence or awning is to be removed prior to the issue of an occupation certificate/subdivision certificate.*

*Application shall be made to Tweed Shire Council including associated fees for approval prior to any structure being erected within Councils road reserve.*

[DUR0435]

54. *All demolition work is to be carried out in accordance with the provisions of Australian Standard AS 2601 "The Demolition of Structures" and to the relevant requirements of the WorkCover NSW, Work Health and Safety Regulation 2011.*

*The proponent shall also observe the guidelines set down under the Department of Environment and Climate Change publication, "A Renovators Guide to the Dangers of Lead" and the Workcover Guidelines on working with asbestos.*

[DUR0645]

55. *The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house, building or structure is strictly prohibited for all stages of the development.*

[DUR0815]

56. *No soil, sand, gravel, clay or other material shall be disposed of off the site without the prior written approval of Tweed Shire Council General Manager or his delegate.*

[DUR0985]

57. *The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles associated with all stages of the development. Any work carried out by Council to remove material deposited on the roadway by construction vehicles will be at the Developers expense and any such costs are payable prior to the issue of the applicable Use or Occupation Certificate of the associated works.*

[DUR0995]

58. *All work associated with this approval is to be carried out so as not to impact on the neighbourhood, adjacent premises or the environment. All necessary precautions, covering and protection shall be taken to minimise impact from:*

- *Noise, water or air pollution.*
- *Dust during filling operations and also from construction vehicles.*
- *Material removed from the site by wind.*

[DUR1005]

59. *All Stage 1 works shall be carried out in accordance with Councils Acid Sulfate Soils Management Plan for Minor Works. A signed copy of this Management Plan shall be submitted to Council prior to the commencement of works.*

[DUR1075]

60. *Where the construction work is on or adjacent to public roads, parks or drainage reserves for any stage of the development, the Proponent shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742 (Manual of Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.*

[DUR1795]

61. *Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of each relevant stage of the development shall be repaired in accordance with Council's Development Design and Construction Specifications, prior to any use or occupation of that stage of development.*

[DUR1875]

62. *The builder must provide an adequate trade waste service to ensure that all waste material is suitably contained and secured within an area on the site, and removed from the site at regular intervals for the period of construction/demolition to ensure no material is capable of being washed or blown from the site.*

[DUR2185]

63. *Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction, as applicable for all stages of the development.*

*Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.*

*This inspection program is to be maintained until any held Maintenance Bond is released or until Council is satisfied that the site is fully rehabilitated.*

[DUR2375]

64. *The site shall not be dewatered, unless written approval to carry out dewatering operations is received from the Tweed Shire Council General Manager or his delegate.*

[DUR2425]

## **USE**

65. *Prior to Use of the new Stage 1 access, a Certificate of Practical Completion shall be obtained from Council's General Manager or his delegate for all works required under Section 138 of the Roads Act 1993.*

[USENS01]

## **GENERAL TERMS OF APPROVAL**

*For proposed development requiring approval under s89, 90 or 91 of the Water Management Act 2000*

<b>Condition Number</b>	<b>Details</b>
<b>Design of works and structures</b>	
GT0009-00001	<i>Before commencing any proposed controlled activity on waterfront land, an application must be submitted to DPI Water, and obtained, for a controlled activity approval under the Water Management Act 2000.</i>
GT0013-00001	<i>A. Any proposed controlled activity carried out under a controlled activity approval must be directly supervised by a suitably qualified person. B. A copy of this approval must be: i. kept at the site where the controlled activity is taking place, and ii. provided to all personnel working on the controlled activity.</i>

<b>Condition Number</b>	<b>Details</b>
GT0019-00001	<i>Any proposed excavation on waterfront land must be undertaken in accordance with a plan submitted as part of a controlled activity approval, to be approved by DPI Water.</i>
	<i>Erosion and sediment controls</i>
GT0021-00001	<i>The proposed erosion and sediment control works must be inspected and maintained throughout the carried out; construction or operation period of the controlled activity and must not be removed until the site is fully stabilised.</i>
<b>Plans, standards and guidelines</b>	
GT0002-00003	<i>A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application 20170172 provided by Council to DPI Water. B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, DPI Water, Murwillumbah Office, must be notified in writing to determine if any variations to the GTA will be required.</i>
GT0005-00004	<i>A. The application for a controlled activity approval must include the following plan(s): - Excavation and Fill Plan specifying extent and depth for work(s) within 40m of the Tweed River, Construction/Demolition Plan specifying extent and depth for work(s) within 40m of the Tweed River. B. The plan(s) must be prepared in accordance with DPI Waters guidelines located on the website <a href="http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity">http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity</a>.</i>
GT0010-00001	<i>All documents submitted to DPI Water as part of an application for a controlled activity approval must be prepared by a suitably qualified person.</i>
GT0012-00001	<i>Any proposed controlled activity must be carried out in accordance with plans submitted as part of a controlled activity approval application, and approved by DPI Water.</i>
<b>Reporting requirements</b>	
GT0016-00001	<i>The consent holder must inform DPI Water in writing when any proposed controlled activity carried out under a controlled activity approval has been completed.</i>
GT0017-00001	<i>When required: A. a suitably qualified person must provide a certificate of completion for any controlled activity carried out under a controlled activity approval, and B. the certificate must be sent to DPI Water.</i>

## **SCHEDULE 1**

*The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by DPI Water for integrated development associated with DA17/0172 as provided by Council:*

- *Statement of Environmental Effects*
- *Owners Consent*
- *Consultants Letter*
- *Schedule of Lots*
- *Council DA form"*

***be rescinded.***

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- 3 [NOM] Development Application DA17/0172 for a Staged Development for Mixed Use Development Comprising a Pub, Restaurant, Cafe, Retail Premises, Commercial Premises, Community Facilities, Medical Centre, Indoor Recreation Facility and Markets - Stage 1 - Vehicle Access at Chinderah Bay Drive, Chinderah; Lot A & B DP 408067 No. 14 River Street, Chinderah; Lot 1 DP 1080842 No. 140 Chinderah Bay Drive, Chinderah; Lot 3 DP 913262 No. 154 Chinderah Bay Drive, Chinderah; Lot 1 DP 371689 No. 156 Chinderah Bay Drive, Chinderah; Lot 2 DP 781464 No. 158-160 Chinderah Bay Drive, Chinderah; Lot 6 DP 8825 No. 7 Terrace Street, Chinderah; Lot 1 & 2 DP 781888; Lot 21 DP 260722 No. 92 Chinderah Bay Drive, Chinderah; Lot 1 DP 32406; Lot 12 DP 260722; Lot 462 & 463 DP 755701 & Lot 470 DP 755701 River Street, Chinderah

**NOTICE OF MOTION:**

Councillor R Cooper moves that Council invites residents (via Australia Post), businesses and where possible, absentee property owners of Chinderah to a round-table meeting to allow Council to gain a better understanding of the concerns arising from this development and to allow those supporting it to express their views.

It is also requested that appropriate planning/engineering staff to be in attendance at this discussion to provide professional advice as required.

**Councillor's Background Notes**

Recommended Priority:

Nil.

Description of Project:

Nil.

**Management Comments:**

It should be noted that in the early stages of this DA, a comprehensive community consultation process was undertaken in accordance with relevant statutory and policy requirements, including advertising in the Tweed Link, sign erected on site, and a substantial mail out of notification to adjoining and surrounding property owners and residents.

Delivery Program:

mhm



Leaving a Legacy  
*Looking out for future generations*

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 2 Making decisions with you
- 2.1 Built Environment
- 2.1.2 Development Assessment - To assess development applications lodged with Council to achieve quality land use outcomes and to assist people to understand the development process.

**ROLE: Provider**

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Budget/Long Term Financial Plan:

The additional mail-out, the holding of a meeting at a public venue, and staff resources will incur costs well beyond the fees paid by the applicant as part of their DA lodgement.

Legal Implications:

The applicant has a right of appeal in the Land and Environment Court in respect of any determination by Council of this DA.

Policy Implications:

Nil

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## REPORTS THROUGH THE GENERAL MANAGER

### REPORTS FROM THE GENERAL MANAGER

#### 4 [GM-CM] Northern Rivers Joint Organisation

**SUBMITTED BY:** General Manager

mhm



Behind the scenes  
*Providing support to make it happen*

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

**ROLE:** Leader

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#### SUMMARY OF REPORT:

This report is to provide Council with information in relation to the establishment of the Northern Rivers Joint Organisation.

The Northern Rivers Joint Organisation (NRJO) was proclaimed on Monday 14 May 2018. The following are 'member councils' of the NRJO:

- Tweed Shire Council
- Byron Shire Council
- Ballina Shire Council
- Lismore City Council
- Richmond Valley Council
- Kyogle Council

The following organisations are proposed as non-voting or associate members of the NRJO:

- The NSW Government, as represented by a nominee of the Secretary of the Department of Premier and Cabinet, currently the Department of Premier and Cabinet, Director North Coast Region
- Rous County Council
- Clarence Valley Council
- Tenterfield Shire Council
- Gold Coast City Council
- Scenic Rim Regional Council
- RDA Northern Rivers



### **Previous Council Consideration**

At its Ordinary Meeting of 21 June 2018 Council resolved

*“that the update on the establishment of the Northern Rivers Joint Organisation, with the first meeting proposed to be held on 22 June 2018, be received and noted.”*

### **RECOMMENDATION:**

**That Council:**

- 1. Receives and notes the report on the Northern Rivers Joint Organisation Report.**
- 2. Endorses the:**
  - (a) draft Northern Rivers Joint Organisation Code of Meeting Practice**
  - (b) draft Northern Rivers Joint Organisation Expenses and Facilities Policy**
- 3. Determines whether to receive and note the draft Northern Rivers Joint Organisation Charter or to request amendments to the charter in accordance with previously resolved position of Council.**
- 4. Determines an alternate voting delegate to the Northern Rivers Joint Organisation, when the Mayor is unavailable.**

**REPORT:**

The Northern Rivers Joint Organisation (NRJO) held its inaugural meeting on 22 June 2018. A copy of the unconfirmed minutes from this meeting is included in the attachments to this report. At this meeting the NRJO:

1. Elected Cr Danielle Mulholland as Chair unopposed.
2. Adopted a draft Charter for consultation with the member Councils.
3. Mr Tim Williamson from RDA Northern Rivers as their interim Executive Officer and provided the necessary delegations.
4. Adopted a Code of Conduct and procedures for its administration.
5. Agreed to transfer the NOROC Code of Conduct Panel of Conduct Reviewers.
6. Adopted a draft Code of Meeting Practice for consultation with the member Councils.
7. Adopted a draft Expenses and Facilities Policy for consultation with the member Councils.
8. Set down there meeting dates for the next 18 months.
9. Requested the new Executive Officer to seek proposals for an external consultant to assist with the development of a Statement of Strategic Regional priorities based on the 10 Regional Priorities adopted by NOROC.

The next meeting of the NRJO is set down for 6 August 2018 at Ballina.

The last meeting of NOROC was also held the same day where it was agreed to wind up NOROC and transfer all its assets and commitments across to the NRJO.

The draft Charter adopted by the NRJO provides for;

- One voting representative per member council (the Mayors);
- Allows for an alternate voting delegate in the absence of the Mayor, as determined by the member Council;
- That decisions are made through a majority (4/6) voting model;
- That the annual membership fees for the NRJO are apportioned to the member Councils with 50% of costs being split in equal amounts and 50% of costs apportioned by population, with any financial contributions over and above the annual membership fees to be referred to the member councils to resolve.;
- The following non-voting or associate members of the NRJO:
  - Rous County Council
  - Clarence Valley Council
  - Tenterfield Shire Council
  - Gold Coast City Council
  - Scenic Rim Regional Council
  - RDA Northern Rivers

**OPTIONS:**

In determining whether to endorse, receive and note or request amendments to the charter it should be noted that council previously resolved position at the meeting of 19 April 2018 in relation to voting at the Joint Organisation is as follows:

*“that the Mayor continues to advocate for the preferred voting system as the charter is developed.*

**CONCLUSION:**

The NRJO is now up and operational. Further details on branding, website address, agenda and minutes as well as the appointment of the Executive Officer will be subject to future correspondence. Council’s role today is to provide direction to the Mayor in endorsing, receiving and noting or requesting amendments to any of the documents of the NRJO.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Appropriate amendments have been made to the Local Government Act 1993 and the Local Government (General) Regulation 2005.

**b. Budget/Long Term Financial Plan:**

Costs associated with the establishment of the Northern Rivers Joint Organisation are being funded by the NSW State Government in an amount of \$300,000.

The current proposal is for the financial arrangements that are used for NOROC to be used initially for the NRJO until such time as a more detailed assessment of cost sharing options has been developed based on the NRJO budget. Council has included an estimate of up to \$36,000 per year for contributions to various Regional Organisations, of which the Joint Organisation is one and it is unclear at this stage what the ongoing contributions will be.

The current year projections for NOROC are that there will be at least \$220,000 remaining in the NOROC bank account at the end of the 2017/18 financial year period. At present, it is proposed that NOROC be wound up and these funds transferred to the NRJO.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1. Draft Northern Rivers Joint Organisation Charter (ECM5440935).

Attachment 2. Unconfirmed minutes of Inaugural meeting held 22 June 2018 (ECM5440934).

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## REPORTS FROM THE DIRECTOR ENGINEERING

### 5 [E-CM] Coastal Cycleway Lighting Contract

**SUBMITTED BY:** Roads and Stormwater

mhm

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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
- 3.3 Moving around
- 3.3.4 Roads, Traffic, Footpaths and Cycleways - To provide and maintain a network of roads and bridges, footpaths and cycleways that is safe, efficient and accessible.

**ROLE:** **Provider**

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#### SUMMARY OF REPORT:

The Request for Offer RFO2018073 Overhead Cycleway Lighting System has been called to engage a suitably qualified and experienced contractor from the open market to design, install and commission a new overhead lighting system along the beachside cycleway between Salt and Casuarina.

The offer was uploaded on Tweed Shire Council's website and advertised as per the requirements of the Local Government Regulation 2005. The offer closed on 18 July 2018.

Council Officers will undertake an assessment and provide an Addendum Report to Council to be included in the Agenda for the Council Meeting of 2 August 2018.

#### RECOMMENDATION:

**That Council considers an addendum report for RFO2018073 Overhead Cycleway Lighting System, Design and Install.**

**REPORT:**

As per summary.

**OPTIONS:**

Not applicable.

**CONCLUSION:**

Not applicable.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Procurement Policy v1.6.

**b. Budget/Long Term Financial Plan:**

To be determined.

**c. Legal:**

Not Applicable.

**d. Communication/Engagement:**

**Inform** - We will keep you informed.

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Nil.

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## REPORTS FROM THE EXECUTIVE MANAGER PEOPLE, COMMUNICATION AND GOVERNANCE

### 6 [PCG-CM] Community Engagement Strategy 2018-2022

**SUBMITTED BY:** Communication and Customer Experience

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
2.2.2	Communications - To inform, educate and engage the public about Council and community activities.

**ROLE:** **Leader**

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#### SUMMARY OF REPORT:

The Draft Community Engagement Strategy was On Exhibition from 4 December 2017 to 9 February 2018 (2 months). During this period there was a range of notifications, editorial coverage, social media activity and direct mail/letters inviting comment on the draft strategy.

By the close of the exhibition period, Council received:

- three formal submissions
- 470+ votes on various Quick Polls (social media and customers)
- 3 comments on the Your Say Tweed Project Page Guestbook

A follow up Councillor Workshop was held on 8 March 2018 which provided a summary of the outcomes, general sentiment and considered potential amendments to the final Strategy.

At its meeting of 19 April 2018 Council resolved that this matter "*be deferred to the Council Meeting of 17 May 2018 for further consideration*".

Due to staffing resources, other Council community engagement priorities and additional meetings to consider changes to the draft Strategy, it was not able to be returned to the May meeting and is now submitted to the August meeting for Council consideration.

The result is the Community Engagement Strategy attached to this report, recommended for Council's adoption.

**RECOMMENDATION:**

**That Council adopts the Community Engagement Strategy 2018–2022, and replaces the current Community Engagement Strategy Version 1.1 August 2012.**



## REPORT:

The Community Engagement Strategy 2018-2022 draws on the enthusiasm of both the elected Council and its Executive Leadership Team, who have identified improving community engagement as one of their priorities. This is reinforced by the adopted Community Strategic Plan 2017-2027 which identifies '*Making Decisions With You – we're in this together*' as one of the principal streams.

The key messages from Councillors while reviewing this strategy have been:

- The Tweed community is the stakeholder – everyone's views matter.
- Council should be community-led in its decision making.
- Engagement methods and techniques need to be a blend of options across traditional/face-to-face, online and social – the strategy should not focus entirely on growth in one area but needs to balance resources to meet community expectations.
- The organisation can improve its focus on culture and skills capability in the community engagement space.
- The organisation can improve its use of engagement techniques that involve and collaborate and feature deliberative democracy options more often and encourage a 'bottom up' and 'community led' engagement approach early in a project/process.

The Community Engagement Strategy 2018-2022 is a framework and guiding document that will be implemented over the next four years and formally reviewed at the end of this period. At any point during these next four years it can be updated as required.

The objectives of the Community Engagement Strategy have been amended in light of feedback received to read as follows:

- Be a Council that is guided by community-led recommendations arrived at through deliberative, early and broad-based engagement.
- Encourage the community to understand, be understood and learn from each other through a productive and inclusive exchange of views.
- Ensure that people receive information that is timely, free of bias, easy to access and understand.
- Be transparent, strengthen relationships and build mutual respect through ongoing engagement activities.

### Summary of On Exhibition

By the close of the exhibition period, Council received:

- three formal submissions – whilst few in number, these made a number of telling points that have led to significant improvements in the final text
- 470+ votes on various Quick Polls (social media and customers)
- 3 comments on the Your Say Tweed Guestbook

A general summary of key sentiments, polls and comments received include:

- The need to strike the right balance between an emerging preference amongst many people to be engaged using enhanced social media and online options, and the importance of human interaction to provide customer service and at information sessions or round tables when required. *"I appreciate the online opportunities...but I also appreciate the ability to discuss issues face to face that are specific to my circumstances."*

- Confusion over the plethora of Council strategies and how they are all linked/achieved and committed to. *“I find myself needing a road map to understand all the linkages. A lot of planning documents and strategies to traverse.”*
- The draft Strategy tends to highlight ‘top-down’ engagement (ie engagement that is led by Council on Council’s terms). There is room for improvement by having processes for Community stakeholders to initiate issues of concern with Council – and with each other.
- Clear improvements/internal procedures can be made to minimise ‘gaps’ in our Customer Service Standards and the way staff ‘close the loop’ on our engagement projects. This is reflected in the way Council responds to customer enquiries/on exhibition items/complaint handling processes and there is room for improvement on the way Council provides information / ‘closes the loop’ on projects in an open and transparent manner.

*“Complaints handling and customer follow up is poor, hence people take to Facebook for the public – open forum requires accountability.”*

*“Simple automated responses would go a long way and acknowledge submission feedback. Such would significantly improve the transparency and accountability of Council.”*

- More broadly, there is a need to ‘close the loop’ by providing feedback to people who have made contributions to the decision-making process by attending meetings, making submissions, offering advice etc. Such contributions need to be clearly acknowledged and explanations provided for decisions on contentious matters.
- Resident, ratepayer and business groups are not always seen to be representative: there is a need to ensure mechanisms are available to incorporate broader views of community members who may not be a member of the group. *“Council takes notice of these groups at the expense of individuals.”*
- Several comments in regards to the need for Councillors to be seen to represent all people/areas not political parties.

### **Amendments to Draft Community Engagement Strategy**

Overall the Community Engagement Strategy changes since the On Exhibition version can be summarised as follows:

- Strengthening and stronger focus of the Message from your Council team.
- General updates to images and text to improve clarity of wording and presentation.
- Updated language/terminology for planning legislation.
- Updated objectives and tweaks to wording in the principles.

- Redefining 'Community Conversation' to be a regular format of two-way roundtable formats and removing the 'local conversations' concept of open public meetings with no identified purpose.
- Clarification/expansion and greater explanation on points/techniques and how they will be used and the purpose of the Engagement Toolkit. Essentially, some of the elements we had in the first draft that was asked to be cut back have been cut back too far, causing some confusion and we need to clarify.
- Listing of methods and techniques moved to the appendix.

### **Contents of Engagement Toolkit**

It is clear from submissions and comments received that considerably more work needs to be done to flesh-out the Strategy and make clear how it will be implemented. This was always the intended role of the Toolkit. Key issues for the Toolkit to cover include:

- A more detailed description of the different techniques of engagement: how they will work and when and how they will be used – especially the new Community Conversations and Stakeholder Forum.
- As well, more detail on the Tweed Community Panel – encouraging people to join, how they can become involved in various engagement activities etc.
- The process and criteria for selecting people/organisations to sit on the Stakeholder Forum and Advisory Committees.
- The future role and membership of the Community Engagement Network.
- The scope for Council to facilitate stronger community networks and ongoing collaboration amongst like-minded individuals and organisations (e.g. using Your Say Tweed and the Tweed Panel to follow-up issues raised at Community Conversations).
- Further steps needed to acknowledge submissions and contributions to discussions, provide feedback, and ensure a transparent, accountable process.
- The respective roles of different Council units in determining the need and scope for engagement, and designing and undertaking engagement activities.
- Specific measures to improve knowledge, skills and organisational culture.

### **Project Background**

Council is required to have a Community Engagement Strategy as part of the Integrated Planning and Reporting Framework (IPRF) to inform the development of the related documentation including the Community Strategic Plan, Delivery Program and Operational Plan along with a Resourcing Strategy. In the near future, the requirement for a Community Engagement Strategy is to be broadened to cover all the council's plans, policies and programs. The attached Community Engagement Strategy meets that new requirement.

The review of the Community Engagement Strategy project commenced in February 2017. Since this time there has been extensive engagement with Councillors to determine their preferences and direction for Council's community engagement responsibilities.

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The past 18 months developing this Strategy have included two external engagement consultants and industry experts Prof Graham Sansom – Adjunct Professor and Amanda Newberry from Articulous Communications / International Association of Public Participation.

Council adopted its first Community Engagement Strategy in 2010, which was updated in 2012. It was time to review and update the Engagement Strategy to include new methods and techniques.

The review of the Community Engagement Strategy project commenced in February 2017. Since this time there has been extensive engagement with Councillors to determine their preferences and direction for Council's community engagement responsibilities. This has included:

- **4 February 2017 – Councillor Workshop** - Full Day Community Engagement for Councillors and staff. IAP2 Engagement Essentials training tailored to Tweed Shire Council to begin the framework and way forward for reviewing the Community Engagement Strategy. Facilitated by Amanda Newberry from Articulous Communications.
- **March – Council Report** – Since the Feb workshop, a number of Councillors expressed differing viewpoints of how to proceed. The report aimed to determine the way forward to enable the review of the Community Engagement Strategy to progress. This item was deferred at the March Council meeting and again at the April Council meeting. In the interim, staff commenced preparation of the First Draft Community Engagement Strategy in an effort to put a basic framework together.
- **April/May 2017 – Councillor Engagement Training IAP2** – Councillor Cooper and a staff member attended an IAP2 Engagement Course at the University of Technology Sydney through the Local Government Centre for Excellence.
- **6 June – Community Engagement Network** – meeting to present the First Draft of the Community Engagement Strategy and provide the CEN the opportunity to review and provide feedback on the First Draft prior to presenting to Councillors.
- **21 June – Corporate Management Team** – presentation for internal engagement with the Corporate Management Team to review and provide feedback on First Draft Community Engagement Strategy.
- **30 June – Councillor Workshop** – Councillors were presented with the First Draft Community Engagement Strategy in a 1hour workshop to discuss and provide feedback. Some Councillors expressed a number of concerns which were taken on board for staff to review and incorporate to then provide an updated Draft Strategy for Councillors consideration.
- **July** – Appointment of External Consultant Prof Graham Sansom to coordinate Councillor responses and feedback to the First Draft Strategy and prepare a Revised Draft Community Engagement Strategy.
- **August – Councillors and staff meetings** with Professor Graham Sansom regarding community engagement. Each Councillor had a private meeting of 45mins to discuss

community engagement with Prof Sansom and provide feedback on the First Draft Community Engagement Strategy and other views on engagement. Prof Sansom also met with a number of staff and key engagement practitioners across the organisation.

- **16 October 2017 – Councillor Workshop (2hrs)** – follow up workshop presented by Prof Graham Sansom summarising his findings from individual discussions with Councillors and staff and incorporated them into a Revised Draft Community Engagement Strategy. This workshop resulted in a number of additional enhancements from Councillors, Prof Sansom and staff resulting in the Revised Draft Community Engagement Strategy attached to this report.
- **24 October 2017 - Community Engagement Network** internal engagement meeting to provide an update and opportunity for feedback on the Revised Draft Community Engagement Strategy. This also included a number of other key staff who led engagement activities.
- **22 November – Council Meeting** – Presentation of the Final Draft Community Engagement Strategy for Council to place On Exhibition.
- **4 December 2017 – 9 February 2018** – Draft Community Engagement Strategy On Exhibition.
- **8 March 2018 – Councillor Workshop** – presentation of Draft Community Engagement Strategy On Exhibition results.
- **16 March 2018** – A follow up meeting with Prof Graham Sansom and Councillor Cooper to address and clarify some concerns ahead of the Strategy being finalised to present to Council at the April Council meeting.
- **19 April, 28 June, 19 July 2018** – Meetings with Cr Cooper.

#### **OPTIONS:**

That Council:

1. Proceeds with adopting the Community Engagement Strategy 2018-2022 and implementing the actions identified.
2. Does not proceed with adopting the Community Engagement Strategy 2018-2022, with the current community engagement strategy to remain in place, noting this would not meet the requirements of the Local Government Act, 1993.

#### **CONCLUSION:**

The Community Engagement Strategy provides a balanced blend of traditional, social and online improvements. Overwhelmingly the desire is to meet the growing expectations of our community for open and transparent engagement and to improve organisational capacity in this space.

Ideally Council would adopt this Community Engagement Strategy 2018-2022, recognising it is the overall framework and guiding principles, to enable the organisation and our limited

resources to move onto delivering the toolkits, actions and next steps highlighted to achieve the objectives of the Strategy. Noting that the Community Engagement Strategy can be updated at any time.

**COUNCIL IMPLICATIONS:**

**a. Policy:**

Once adopted, the Community Engagement Strategy 2018-2022 will replace the current Community Engagement Strategy and be used as Council's model for all engagement across the Integrated Planning and Reporting Framework and other Council programs, policies and services.

**b. Budget/Long Term Financial Plan:**

The total costs over the past 12 months to prepare the Community Engagement Strategy has been approximately \$30,000 to date. This does not include staff time on the project.

**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.	Community Engagement Strategy	2018–2022
	(ECM5435074).	

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**CONFIDENTIAL ITEMS FOR CONSIDERATION**

**REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE**

**REPORTS FROM THE DIRECTOR PLANNING AND REGULATION IN COMMITTEE**

**C1 [PR-CM] Compliance Update DA05/0995 and DA16/0579, Mount Warning Spring Water, 2574 Kyogle Road, Kunghur**

**REASON FOR CONFIDENTIALITY:**

The report concerns legal matters that could influence future proceedings.

**Local Government Act**

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

mhm

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Making decisions with you  
*We're in this together*

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:**

- 2 Making decisions with you
- 2.1 Built Environment
- 2.1.2 Development Assessment - To assess development applications lodged with Council to achieve quality land use outcomes and to assist people to understand the development process.

**ROLE: Provider**

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**C2 [PR-CM] Compliance Update DA05/1507 & DA06/1023, Transportation of Water. 10 - 20 Edwards Lane, Kynnumboon (Harris Group - Pristine Water Supplies Pty Ltd)**

**REASON FOR CONFIDENTIALITY:**

The report concerns legal matters that could influence future proceedings.

**Local Government Act**

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**ROLE:** **Provider**

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**C3 [PR-CM] Compliance Update DA06/0603 at Lot 121 DP 1111869 No. 101  
Bryens Road, Nobbys Creek**

**REASON FOR CONFIDENTIALITY:**

The report concerns legal matters that could influence future proceedings.

**Local Government Act**

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

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**ROLE: Provider**

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**C4 [PR-CM] Compliance Matter - Development Application DA16/0724 for a Dwelling and Secondary Dwelling at Lot 83 DP 1030322 No. 8 Eclipse Lane, Casuarina**

**REASON FOR CONFIDENTIALITY:**

This report is confidential as it contains legal advice

**Local Government Act**

This report is **CONFIDENTIAL** in accordance with Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

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**ROLE:** **Provider**

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