

**Mayor:** Cr K Milne

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

# Agenda Late Reports

**Ordinary Council Meeting  
Thursday 17 May 2018**

held at  
**Harvard Room, Tweed Heads Administration  
Building, Brett Street, Tweed Heads**  
commencing 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:**

<b>ITEM</b>	<b>PRECIS</b>	<b>PAGE</b>
<b>LATE ITEMS</b>		<b>5</b>
<b>MAYORAL MINUTE</b>		<b>5</b>
<b>36</b>	<b>LATE [MM-CM] Tweed Valley Hospital Development</b>	<b>5</b>

**THIS PAGE IS BLANK**

## LATE ITEMS

### MAYORAL MINUTE

#### 36 LATE [MM-CM] Tweed Valley Hospital Development

SUBMITTED BY: Cr K Milne, Mayor

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 Advocate**

---

#### SUMMARY OF REPORT:

You will recall at our April Council Meeting the following was resolved in response to a Late Mayoral Minute that I put before council in relation to the proposed Tweed Valley Hospital site:

- "1. *Tweed Shire Council wholeheartedly welcomes a new hospital to be built in the Tweed Shire but does not support the proposed location at Kingscliff and notes the significant concerns being raised in the community including the:*
  - a) *Substantial loss of State Significant Farmland particularly in light of the previous losses of State Significant Farmland including at Area E Terranora, the Kingscliff TAFE and from part of the Kingscliff High School;*
  - b) *Potential for further flow on impacts on adjacent State Significant farmlands in the form of restrictions on farming practices such as noise, dust, sprays, and agricultural buffers, as well as potential shading of the farmlands from a multi storey hospital;*
  - c) *Potential for future losses on State Significant Farmland if/when the hospital expands as the population grows;*
  - d) *Impact of increased travel distances for residents in the high population areas of Tweed Heads, particularly elderly residents who may have bought into properties to be close to the existing hospital; and*

- e) *Construction of a multistorey health facility that would set a precedent leading to unabated approvals for high density buildings that exceed the current three storey height limits at Kingscliff.*
- 2. *Given the community concerns, the Mayor writes to the State Government to request in the strongest terms reconsideration of the proposed location for the new hospital to exclude State Significant Farmlands, and include Council and the community in a comprehensive site selection process.*
- 3. *If the State Government does not agree to provide adequate community engagement Council will assist the community in their efforts to determine an alternative acceptable site for a new hospital."*

**RECOMMENDATION:**

**That:**

- 1. **The Councillors be nominated as members of the Tweed Valley Hospital Development – Tweed Shire Council Reference Group:**

Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_

- 2. **Council notes the inclusion as non-voting Technical Advisers to the Reference Group of the following staff:**

**Troy Green - General Manager**  
**Vince Connell – Director Planning and regulation**  
**Iain Lonsdale – Unit Coordinator, Strategic Planning and Urban Design**  
**Danny Rose – Manager Roads and Stormwater**

- 3. **Council requests the Minister for Health to consider the inclusion of the Director Engineering, David Oxenham as a further non-voting Technical Adviser from council to enable input into Water and Wastewater Issues.**
- 4. **Council requests the Minister for Health to consider the inclusion of the Program Leader – Sustainable Agriculture, Eli Szandala as a further non-voting Technical Adviser from council to enable input into the impact on Sustainable Agriculture.**

## **REPORT:**

It is pleasing to note that the State Government has taken action with reference to council's request for better consultation and has extended until Thursday 14 June 2018 the opportunity for the community to provide feedback on the proposed site and indeed to nominate Alternative Sites for consideration. To aid in this consultation process the Tweed Valley Hospital Development Team are conducting drop-in sessions to enable members of the community to discuss the site selection process which includes the key features and considerations for the proposed site as well as the key issues with other areas investigated across the region.

In a further positive step in this process a Tweed Shire Council Reference Group is also being established which is proposed to have representation from councillors, appropriate nominated staff (as non-voting technical advisers), and members of the Tweed Valley Hospital Integrated Project Team, invited Independent Technical Advisers and an Independent Probity Adviser.

In supporting the establishment of the Tweed Shire Council Reference Group, I would like to see the representation from councillors along bipartisan lines with councillors who voted for and against the Late Mayoral Minute at the April Meeting being nominated and able to freely participate in this Reference Group. It is also important that the members of this reference group are aware of the requirement of signing and being bound by the Confidentiality Deed Poll.

In making a commitment to be part of this Reference Group the attachment to this Mayoral Minute contains details including the roles and responsibilities of this group as well as the proposed meeting dates of:

Monday 28 May 2018  
Tuesday 19 June 2018  
Tuesday 26 June 2018 and  
Monday 2 July 2018

As a council we should embrace this opportunity afforded to us to provide important feedback and input into this exciting project for the future of Tweed Shire.

## **COUNCIL IMPLICATIONS:**

### **Legal:**

All members including technical advisers to the Reference Group are required to sign a Confidentiality Deed Poll.

### **Communication/Engagement:**

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

**Empower**-We will give the community greater opportunity to participate in a transparent flow of information and feedback to Councillors who have been empowered as the Community representatives to make decisions in accordance with the Local Government Act 1993.

**Involve/Collaborate**-We will work with you on an ongoing basis to ensure your ideas, concerns and aspirations are considered. We will provide feedback on Council's decisions.

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

**UNDER SEPARATE COVER/FURTHER INFORMATION:**

Attachment 1.

NSW Government – Tweed Valley Hospital Development -  
Tweed Shire Council Reference Group – Terms of  
Reference (ECM 5280457)

---