



TWEED
SHIRE COUNCIL

Chairman: Tr K Milne

Trustees: P Allsop
R Byrnes (Deputy Chairman)
C Cherry
R Cooper
J Owen
W Polglase

Agenda

Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting Thursday 15 February 2018

held at
**Council Chambers, Murwillumbah Civic & Cultural Centre, Tumbulgum
Road, Murwillumbah**
commencing at the conclusion of the Council Meeting at 5.30pm

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Items for Consideration of the Trust:

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CONFIRMATION OF MINUTES

- 1 [CONMIN-JEBH] Minutes of the Ordinary Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 26 October 2017

SUBMITTED BY: Corporate Governance

nhm



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**

The Minutes of the Ordinary Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 26 October 2017 are attached for information and adoption by Council.

RECOMMENDATION:

That the Minutes of the Ordinary Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 26 October 2017 be adopted as a true and accurate record of proceedings of that meeting.

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).*

Attachment 1

Minutes of the Ordinary Tweed Heads Jack Evans Boat Harbour Reserve Trust Meeting held Thursday 26 October 2017 (ECM 5059505).

REPORTS THROUGH THE EXECUTIVE MANAGER OF THE TRUST

REPORTS FROM DIRECTOR COMMUNITY AND NATURAL RESOURCES

2 [CNR-JEBH] Jack Evans Boat Harbour Plan of Management

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
- 3.2.7 Parks and Gardens - To provide and manage quality and accessible public parks and gardens for the enjoyment and wellbeing of the community and visitors to the Tweed.

ROLE: **Provider**

SUMMARY OF REPORT:

At its meeting held 18 May 2017 the Tweed Heads Jack Evans Boat Harbour Reserve Trust resolved:

"That Tweed Heads Jack Evans Boat Harbour Reserve Trust prepares a Plan of Management for the Jack Evans Boat Harbour in consultation with the community and with regard to the current event guidelines for the Jack Evans Boat Harbour."

This report outlines the main issues that will influence the preparation of the plan of management and proposed timeline.

RECOMMENDATION:

That the Tweed Heads Jack Evans Boat Harbour Reserve Trust acknowledges the timeline and process for the development of the Jack Evans Boat Harbour Plan of Management as presented in this report and receives six monthly update reports.

REPORT:

At its meeting held 18 May 2017 the Tweed Heads Jack Evans Boat Harbour Reserve Trust resolved:

"That Tweed Heads Jack Evans Boat Harbour Reserve Trust prepares a Plan of Management for the Jack Evans Boat Harbour in consultation with the community and with regard to the current event guidelines for the Jack Evans Boat Harbour."

The preparation of the Plan of Management (PoM) also sits within the General Manager's key performance indicators with the performance measure anticipating completion by June 2018.

There are a number of issues impacting on the timelines for finalising a plan of management in Jack Evans Boat Harbour (JEBH) as outlined below. Accordingly, it is suggested that the reporting of progress on the PoM reflect the complexity of the project and the stakeholder engagement required.

Goorimahbah

"Goorimahbah – Place of Stories" is an Aboriginal and Torres Strait Islander Botanic and Artwork Garden and contemporary meeting place on the northern section of the former Border Caravan Park.

The Aboriginal and Torres Strait Islander community and Council see this part of the harbour as a place of significant cultural heritage which provides a space of recreation for all people to enjoy. The City of the Arts 'Indigenous Public Place-making Project' (IPPP) through which 'Goorimahbah - Place of Stories' was designed and named, was initiated in 2002 by the Tweed Shire Council Aboriginal Advisory Committee and was intended to create a high profile community cultural site. The idea was incorporated into the City of the Arts and formed an integral component of the Tweed Heads Town Centre Masterplan (2004) as a feature of the Jack Evans Boat Harbour Precinct.

The Indigenous Public Place-making Project was officially launched in September 2005 with an Aboriginal and Torres Strait Islander community barbecue. It was followed by a mapping workshop at Minjungbal Cultural Museum. The workshop was a real milestone in the project's evolution. The local community came together to map and define the initial thematic concepts to be included in the artistic brief. From this meeting a steering committee was convened and expressions of interest were invited from local artists to work as part of the design team.

In December 2005 three local artists were commissioned to work in a team with Council's Project Officer to produce concept designs, which were integrated into the landscape for the Jack Evans Boat Harbour parklands. The area of former Border Caravan Park site in which the designs have been developed has since been officially renamed as 'Goorimahbah - Place of Stories'.

Given this history and level of commitment by Council to the Aboriginal community, it is critical that engagement with the community be undertaken in a considered manner prior to embarking on broader community engagement to ensure that their expectations are understood and respected. Timing for this engagement will need to be developed in

conjunction with, and to a large degree, up to the Aboriginal Advisory Committee to determine.

This needs to be finalised prior to engaging the broader community as it will set the boundaries for discussions on potential uses and future development of this site.

Land Tenure

There are seven Crown Reserves within the Jack Evans Boat Harbour Precinct.

- Three of the Crown Reserves are under Trust Management of the Tweed Heads Jack Evans Boat Harbour Reserve Trust.
- One Crown Reserve is under the Trust Management of The Tweed Heads (5794) Reserve Trust.
- One Crown Reserve has been devolved to Tweed Shire Council, however, there is no Trust Manager and as such Council has no management rights over these parcels. It has been devolved to Council for maintenance only.
- Two Crown Reserves have no Trust Management in place.

In addition to the complexity over who manages these reserves, the reserve boundaries do not simply follow the landform and have a variety of reserve purposes.

Further adding to the complexity, The NSW Government has delivered new legislation following the passing of the *Crown Land Management Act 2016* and the *Crown Land Legislation Amendment Act 2017*. It is anticipated that the new legislation will commence in early 2018. The Crown Land Management Regulation will commence when the *Crown Land Management Act 2016* commences in 2018.

The impact of the new legislation on the reserves in JEBH is unclear and may not be known for some time. It would be premature to go out to broad community consultation for the development of a PoM until the impacts of this legislation are better understood.

Divergence of views

Through communications to Council from a number of stakeholder groups, it is clear that there are divergent views within the community on how JEBH should be managed and what activities are permitted. This will require a considered and extended engagement process to ensure all views are heard and considered in developing the draft PoM. It also points to the likelihood that finalisation of a PoM may be an extended process, requiring a degree of independent facilitation through the commissioning of external suitably qualified consultants.

Other issues to be addressed

Other issues which will require consideration in developing a PoM include:

- Homeless use of the park
- Cross border impacts with the Gold Coast City Council
- State Government development plans for Crown Land surrounding JEBH
- The proposed all access playground
- The RSL cenotaph and the RSL's expectations
- Twin Towns Services Club

- The existing aquatic hire operation and conflicts with use of the area by cross border time share resorts.

Staged process

Given the issues outlined above, it is suggested that reporting on progress of the PoM be undertaken as a staged process as outlined below. While the suggested timelines may appear lengthy, it is considered that given the complexities of the site, these timelines are realistic and reflect the level of time and resources that will be required to undertake this project.

Stage 1	Engagement with the Aboriginal community on their expectations for Goorimahbah. This will involve numerous meetings with the community and potentially workshops, allowing enough time for the community to properly discuss and consider their preferences.	2018
Stage 2	Community engagement. This will include a broad range of engagement tools including events in the park, intercept surveys, pop-up-parks in shopping malls, on line engagement, market stalls, deliberative forums etc.	2018/2019
Stage 3	Development of draft Plan of Management and associated engagement process through to adoption of final plan. The process for adoption will be determined by the final outcome of the land tenure issues*.	2019/2020

* Negotiations to resolve the land tenure issues will be on-going throughout the process.

OPTIONS:

1. That Tweed Heads Jack Evans Boat Harbour Reserve Trust acknowledges the timeline and process for the development of the Jack Evans Boat Harbour Plan of Management as presented in this report and receives six monthly update reports.
2. That Tweed Heads Jack Evans Boat Harbour Reserve Trust condenses areas of the proposed development process and receives six monthly updates.
3. That Tweed Heads Jack Evans Boat Harbour Reserve Trust considers another option.

CONCLUSION:

Jack Evans Boat Harbour presents numerous management and stakeholder issues which will require a high level of engagement. Experience has demonstrated that the best long term outcomes from planning processes can be achieved by allowing a generous timeframe for the various stakeholders to consider and present their views, and also to develop and comprehensively review draft plans.

The timeline presented is considered realistic and appropriate for the complexity of this project, however if Council is of the view that the development of a Plan of Management for Jack Evans Boat Harbour is pressing and needs to be completed in a shorter timeframe, it may wish to consider condensing some elements of the proposed process while acknowledging the potential risks of shortening the community engagement process.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable.

b. Budget/Long Term Financial Plan:

Estimate \$50,000 for consultancy to assist with engagement and plan development. This will be included as an item for Council's consideration in the 2018/2019 budget.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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.

The proposed engagement process is illustrated in the table below.

Stage 1	Engagement with the Aboriginal community on their expectations for Goorimahbah. This will involve numerous meetings with the community and potentially workshops, allowing enough time for the community to properly discuss and consider their preferences.	2018
Stage 2	Community engagement. This will include a broad range of engagement tools including events in the park, intercept surveys, pop-up-parks in shopping malls, on line engagement, market stalls, deliberative forums etc.	2018/2019
Stage 3	Development of draft Plan of Management and associated engagement process through to adoption of final plan. The process for adoption will be determined by the final outcome of the land tenure issues*.	2019/2020

* Negotiations to resolve the land tenure issues will be on-going throughout the process.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1. Goorimahbah Fact Sheet (ECM4986688)

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