



TWEED
SHIRE COUNCIL

Mayor: Cr K Milne

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

Agenda

Ordinary Council Meeting Thursday 1 August 2019

held at

**Harvard Room, Tweed Heads Administration Building, Brett Street, Tweed
Heads**

commencing at the conclusion of the Planning Committee meeting
which commences at 5.30pm.

Principles for Local Government

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

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

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

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

(2) Decision-making

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

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

(3) Community participation

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

Items for Consideration of Council:

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CONFIRMATION OF PLANNING COMMITTEE MINUTES

1 [CONMIN-CM] Adoption of the Recommendations of the Planning Committee Meeting held Thursday 1 August 2019

SUBMITTED BY: Corporate Governance

mhm



Making decisions with you
We're in this together

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

ROLE: **Leader**

SUMMARY OF REPORT:

The recommendations of the Ordinary Planning Committee Meeting held Thursday 1 August 2019 require their adoption by Council for the resolutions to be acted upon.

RECOMMENDATION:

That the recommendations of the Ordinary Planning Committee Meeting held Thursday 1 August 2019 be adopted.

REPORT:

As per Summary.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

b. Budget/Long Term Financial Plan:

Not applicable.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

*To view any "**non confidential**" attachments listed below, access the meetings link on Council's website www.tweed.nsw.gov.au or visit Council's offices at Tweed Heads or Murwillumbah (from Friday the week before the meeting) or Council's libraries (from Monday the week of the meeting).*

Nil.

ORDERS OF THE DAY



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**

2 [NOM-Cr P Allsop] South Murwillumbah Transition Structure Plan

NOTICE OF MOTION:

Councillor P Allsop moves that Council supports the preparation of South Murwillumbah Transitioning Structure Plan to guide the future use and management of land within this location, to support and guide future economic and community use opportunity, for the area generally bounded by Prospero Street, Leven Street, Durrington Street through to Buchanan Street and including the Murwillumbah Railway Station precinct, to the Tweed River, and that a procurement process similar to that undertaken for the Smart Small Sustainable Housing project be undertaken to ascertain the market rate/value for a suitably qualified consultant to undertake that work in consultation with Council Officers.

Councillor's Background Notes

This Motion seeks support of the Council to initiate the preparation of a structure plan for a key area of South Murwillumbah, generally comprising the area bounded by Prospero Street, Leven Street, Durrington Street through to Buchanan Street and including the Murwillumbah Railway Station precinct, as it is an area in transition, but without clear a vision or guidance.

This is an area that is undergoing a natural transition in its land-use and occupation and this is occurring for varying reasons, the more noticeable being the closure of the railway in 2004 and devastating flood impacts in March 2017, which have resulted in abandonment, disuse and the planned relocation of certain businesses. In the absence of a clear vision for the future of this area there is a great risk of decisions being made that will not serve a greater public purpose and that may ultimately lead to or prolong the stagnation of economic vitality in this area, an area that is situated within the gateway to one of the region's most significant historic towns; Murwillumbah.

There is a need to work with the local community to establish a vision that reflects the realities facing this area owing to natural occurrences, like flooding, and the past economic drivers that

have declined, like the railway, and to look forward and embrace new emerging opportunities that will respect the importance of Murwillumbah and the strong community desire to enhance and better utilise the areas around and supporting the town.

Emerging opportunities exist as the rail trail will breathe new life into the area and with it the demand for well serviced and planned public spaces, for recreation, parking, events and pop-up commercial / retail uses. As land is transitioned away from its current industrial use, as part of the land-swap in part, there will be significant opportunity to enhance the public use of these lands for such things a RV (Camper Van) parking, improving business opportunity for existing local businesses, such as the IGA, leveraging off the rail trail, which could be readily extended, and harnessing recreational and tourist use and visitation.

This is an important and much needed body of work and should be undertaken in such a way that it can embellish the wider Murwillumbah Locality Plan when it is revisited and commenced.

Recommended Priority:

There is a strong need for this Transitioning Structure Plan and it should be given priority owing to the community benefits, including economic opportunity benefit that it will help achieve by providing guidance and direction.

Description of Project:

Nil.

Management Comments:

Delivery Program:

mhm



Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.4 Managing Community Growth
- 1.4.1 Strategic Land-Use Planning - To plan for sustainable development which balances economic environmental and social considerations. Promote good design in the built environment.

ROLE: Leader and Collaborator

This proposal correctly identifies this area being in an induced state of transition, owing to various influences and natural events mentioned, and being in need of more detailed planning to guide a future use for the transition to maximise the best use of the land and realise the opportunities that do and will exist.

This work would inform the wider Murwillumbah Locality Plan when it is recommenced and is a key piece of detailed planning is missing from current planning policy. Scoping out the project in more detail and gaining an understanding of the market value for a consultant to undertake the work is a sensible approach supported by staff.

Budget/Long Term Financial Plan:

There is no current budget allocation for this body of work / commissioning a consultancy.

Legal Implications:

Nil.

Policy Implications:

There is a policy void in relation to this area of Murwillumbah and that which does exist predates the March 2017 flood event and the business transitioning that is not occurring and planned. There is a need to undertake this proposed Transitioning Structure Plan to guide those future land-use decisions.

3 [NOM-Cr C Cherry] Policy for Dark Sky Lighting Considerations

NOTICE OF MOTION:

Councillor C Cherry moves that Council implements a policy which provides a guideline for managing light illumination from public lighting which is in line with the Department of Planning's Dark Sky Planning Guideline.

Councillor's Background Notes

Recommended Priority:

Nil.

Description of Project:

I have recently attended a presentation by the Murwillumbah East Public School students of their Dark Sky STEM projects. At this time I received letters from the students informing Council of their concern over the light spillage and night sky illumination that is occurring in our Shire, particularly in and around Murwillumbah.

Light pollution is the brightening of the night sky from artificial light. Artificial light can be the lights from our homes, street lights, lights from schools, sporting parks, etc.

Too much light pollution can:

- affect the environment;
- disrupt the normal breeding and migration patterns of nocturnal animals;
- have negative health impacts on human beings; and
- restrict astronomers ability to see and research the night sky.

The students have provided proactive suggestions for the shielding or better direction of public lighting which are in line with the Department of Planning's Dark Sky Planning Guideline and I believe it would be advantageous for our community to have a policy to ensure all future lighting replacements and new installations are in line with this policy.

Management Comments:

Delivery Program:

mhm



Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

1	Leaving a Legacy
1.4	Managing Community Growth
1.4.1	Strategic Land-Use Planning - To plan for sustainable development which balances economic environmental and social considerations. Promote good design in the built environment.

ROLE: **Leader**

The interest of students at Murwillumbah East public School regarding dark sky science are commended. With regard to a planning approach to manage this the following is noted:

- The Department of Planning, Industry and Environment Dark Sky Planning Guideline (the Guideline) applies specifically to protecting the observation conditions in association with the Siding Spring Observatory (within 200km);
- Notwithstanding, the guideline does have information on good design principles for reducing lighting spill, which may be applied generally;
- The particular lights referred to in Knox Park have been installed for more than 20 Years now (prior to contemporary lighting standards) and it is understood the intent when installed would have been to light the entire car park even once the surrounding trees had grown to full size;
- The particular lights mentioned in Knox Park are planned to be removed and replaced with LED alternatives in a later stage of the park's upgrade and once funding is available for this replacement. Contemporary lighting alternatives would be a downward facing/shielded alternative;
- With regard to any public area, Council has a responsibility to ensure both actual and perceived safety within these public locations. Lighting is a key part of this and all new street lighting installed in the Tweed Shire is to be compliant with the Australian Standard AS1158 Lighting for roads and public spaces, which addresses spillage and the appropriate lighting levels for car parks and road reserves;
- Council specifies with all new subdivisions that the most current Essential Energy streetlights are to be utilised. Outdoor lighting identified in Development Approvals are conditioned to be controlled by the requirements of AS4282 Control of the obtrusive effects of outdoor lighting;
- In addition within cities, towns and to some extent villages, the amount of light emitted from multiple sources will impact on night sky viewing and the ability to view night sky should be balanced with the need for safety within these urbanised areas. The rural areas outside of the towns and villages offer greater opportunities for dark sky viewing;
- Whilst the Guideline does not apply to the Tweed Shire the key principles of good lighting remain applicable, noting most modern public lighting is shielded to be largely downward facing;
- Should Council consider preparing a Policy, a lighting study may be required to understand where the impacts may be and what would be required for dark sky lighting in parks and its benefits in terms of stargazing whilst maintaining public safety and required public lighting levels. A lighting study may also consider a range of options, such as sensor lighting that is triggered when activated, shielded lighting and other options. A further element of any lighting study could be the identification of locations that are considered suitable for promoting or encouraging star/night sky gazing where there is low light environment, such as outside town centres and built up areas where lighting is of importance for safety.

Budget/Long Term Financial Plan:

There has been no budgetary allocation applied to this project.

Legal Implications:

The provision of lighting in public areas needs to be compliant with existing legislated policies and standards.

Policy Implications:

Any new policy on Council's provision of lighting in public areas needs to be compliant with existing legislated policies and standards.

REPORTS THROUGH THE GENERAL MANAGER

REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT

4 [SCE-CM] Aboriginal Cultural Heritage at Captain Cook Memorial Lighthouse Building Grant Funding

SUBMITTED BY: Community and Cultural 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
- 3.1 People
- 3.1.2 Community and Cultural Development - To provide community and cultural development services to foster and improve social and cultural well-being.

ROLE: Collaborator Provider

SUMMARY OF REPORT:

Council submitted a funding application to incorporate Aboriginal Heritage components into the Captain Cook Lighthouse Revitalisation works. An offer has been made from the Office of Environment and Heritage for the amount of \$50,000 for the following:

- Motifs/prints embedded in concrete ramp walls telling a traditional Aboriginal story from the local area.
- Produce storyboards to be displayed in the new kiosk/café detailing local Aboriginal history.

Council has the opportunity to accept the funding to honour local Aboriginal Heritage in the Area.

RECOMMENDATION:

That Council:

1. Notes the acceptance by the General Manager of the funding offer of \$50,000 from the Office of Environment and Heritage.
2. Executes all necessary documentation required under the Funding Agreement.

REPORT:

The Captain Cook Lighthouse building located on the Qld/NSW border at Point Danger accommodates a Marine Rescue NSW observation post and a kiosk operated by volunteers from Marine Rescue NSW. The building is in disrepair and has reached the end of its useful service life. Funding has been made available from NSW Government and City of Gold Coast to demolish and rebuild the building.

Due to the iconic location it was decided that the new kiosk/café would also contain a gallery component to document and promote local history. As the location is significant to Local Aboriginal People, initial consultations with Tweed Shire Council Aboriginal Community Development Officer, Tweed Byron Local Aboriginal Land Council and heritage advisors from Tweed Shire Council and City of Gold Coast, it was considered appropriate that aboriginal heritage be represented in the design to honour local Aboriginal Heritage.

Initial works would have been funded from the project budget, however the NSW Office of Environment and Heritage was offering funding to promote Aboriginal Cultural Heritage within local communities and this project met the criteria to apply for funding.

As per initial consultations a funding application was submitted in February 2019 to incorporate Aboriginal Heritage components into the Captain Cook Lighthouse Revitalisation Works.

As agreed during consultation the components to be incorporated into the works as detailed in the funding application are:

- Motifs/prints embedded in concrete ramp walls telling a traditional Aboriginal story from the local area.
- Storyboards to be displayed in the new kiosk/café detailing local Aboriginal history.

An amount of \$50,000 has been offered from the Office of Environment and Heritage to complete the items above.

Further consultation with local Aboriginal Community will inform detail of designs and content to be included in the works.

OPTIONS:

1. Accept the funding amount of \$50,000 from the Office of Environment and Heritage for the work.
2. Reject the funding offer.

CONCLUSION:

Accepting the offer from the Office of Environment and Heritage is the recommended option as completing this work will promote Aboriginal Culture in a location that is significant to Local Aboriginal people. It is also considered key in supporting themes, aims and objectives of the Tweed Shire Council Aboriginal Cultural Heritage Management Plan 2018 adopted in July 2018.

COUNCIL IMPLICATIONS:

a. Policy:

Aboriginal Statement of Commitment v1.4.

b. Budget/Long Term Financial Plan:

Council allocates the funding to Captain Cook Lighthouse Project.

c. Legal:

Not Applicable.

d. Communication/Engagement:

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

Council's Aboriginal Advisory Committee and Tweed Byron Local Aboriginal Land Council will be consulted further to determine the content and application for this work.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1.

Letter of Offer and Funding Agreement (ECM 5957399)

REPORTS FROM THE DIRECTOR ENGINEERING

5 [E-CM] RFO2019058 Removal of Biosolids from Tweed Shire Council Wastewater Treatment Plants for use outside Shire Boundary

SUBMITTED BY: Water and Wastewater

Valid



Behind the scenes
Providing support to make it happen

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.3 Utility Services
- 1.3.2 Sewerage Services - To provide high quality and reliable sewage collection and treatment services that meet health and environmental requirements.

ROLE: **Provider**

SUMMARY OF REPORT:

This tender has been called to engage a suitably qualified and experienced organisation to collect, transport and beneficially use biosolids produced from the Tweed Shire Council's Wastewater Treatment Plants in an Environmentally Sustainable manner that complies with the requirements of the relevant State Environment Protection Authority.

At the time of closing one Offer was received.

The evaluation of the offer against the Selection Criteria is contained in the Offer Evaluation Report included in **CONFIDENTIAL ATTACHMENT 1**. The recommendations are based on the evaluation.

RECOMMENDATION:

That, in respect to Contract RFO2019058 Removal of Biosolids from Tweed Shire Council Wastewater Treatment Plants for use outside Shire Boundary:

1. Council awards a contract to Arkwood (Gloucester) Pty Ltd t/a Arkwood Organic Recycling ABN 70 055 370 486 for the Schedule of Rates offered for the initial 3 year period.
2. The General Manager be granted delegated authority to approve appropriately deemed variations and extensions to the contract and those variations and extensions be reported to Council six monthly and at finalisation of the contract.

3. **ATTACHMENT 1 is CONFIDENTIAL in accordance with Section 10A(2) of the Local Government Act 1993, because it contains:-**
 - (c) **information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.**

REPORT:

Offer Background

This tender has been called to engage a suitably qualified and experienced organisation to collect, transport and beneficially use biosolids produced from the Tweed Shire Council's Wastewater Treatment Plants in an Environmentally Sustainable manner that complies with the requirements of the relevant State Environment Protection Authority. Note that this offer is for the excess biosolids that cannot be efficiently and effectively used locally within the Shire boundary.

Offer Advertising/Distribution

The Offer was invited in accordance with the provisions of the Local Government Act 1993, the NSW Local Government (General) Regulation 2005 and the Tendering Guidelines for NSW Local Government. The Offer was officially advertised in The Sydney Morning Herald.

Offer Submissions

Offer submissions closed at 4:00pm (local time) on Wednesday 8 May 2019 in the Tender Box located in the foyer at the Tweed Shire Council Civic and Cultural Centre, Murwillumbah NSW 2484. The Tender Box was opened by Councils delegated Officers after 4:00pm (local time) and the following Offers were recorded:

Bidder	ABN	Offered Amount (incl GST)
Arkwood (Gloucester) Pty Ltd t/a Arkwood Organic Recycling	70 055 370 486	Schedule of Rates

Offer Evaluation Panel

Council's Offer Evaluation Panel was made up as follows:

Project Manager - Contracts
Senior Engineer - Operations & Maintenance, Water and Wastewater
Operations Coordinator - Treatment & Catchment, Water and Wastewater

Evaluation Discussion

The details of the price and non-price evaluation are shown on the Offer Evaluation Report. A copy of the Offer Evaluation Report is included as ATTACHMENT 1 which is CONFIDENTIAL in accordance with Section 10A(2):

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

The information identifies the Bidder in relation to the Offer price and the evaluation of the products offered by the Bidder. If disclosed, the information would be likely to prejudice the commercial position of the Bidder in terms of market competitiveness by giving their competitors an advantage. Accordingly, disclosure of the information is not in the public interest.

Evaluation Summary

Arkwood (Gloucester) Pty Ltd t/a Arkwood Organic Recycling, is the only offer received but proven to provide value for money when compared against old contract rates.

The new rates for RFO2019058 are approximately 14% higher than the last offered rates (offered on 11/03/2015 for EC2014184). This equates to 2.7% per annum compound increase over 5 years which is relative to general inflation over that time. Therefore it is considered that the offer for RFO2019058 provides value for money.

The proposed contract RFO2019058 is not subject to rise and fall and will operate as soon as possible from Councils approval date and continue for 3 years with an option to extend the contract for up to 2 x 12 months at Council's sole discretion.

Evaluation Panel Recommendation

It is recommended that the Offer from Arkwood (Gloucester) Pty Ltd t/a Arkwood Organic Recycling ABN 70 055 370 486 be accepted at the Schedule of Rates offered.

The estimated contract amount based on 2018/2019 Biosolid Collection volume figures is approximately \$1,600,000 (excl GST) over a 3 year contract period.

OPTIONS:

That Council:

1. Awards a contract to Arkwood (Gloucester) Pty Ltd t/a Arkwood Organic Recycling ABN 70 055 370 486 for the Schedule of Rates offered.
2. Declines to accept the Offer, including reasons for this course of action in accordance with Regulation 178 of the Local government (General) Regulation 2005.

CONCLUSION:

This offer has been called to engage a suitably qualified and experienced organisation to collect, transport and beneficially use biosolids produced from the Tweed Shire Council's Wastewater Treatment Plants in an Environmentally Sustainable manner that complies with the requirements of the relevant State Environment Protection Authority.

It is recommended that the Offer from Arkwood (Gloucester) Pty Ltd t/a Arkwood Organic Recycling ABN 70 055 370 486 be accepted at the Schedule of Rates offered, as it provides value for money to Council.

The estimated contract amount based on 2018/2019 Biosolid Collection volume figures is approximately \$1,600,000 (excl GST) over a 3 year contract period.

COUNCIL IMPLICATIONS:

a. Policy:

Procurement Policy v1.7.

b. Budget/Long Term Financial Plan:

Provision for RFO2019058 Removal of Biosolids from Tweed Shire Council Wastewater Treatment Plants for use outside Shire Boundary is included in the 2019/2020, 2020/2021 and 2021/2022 Sewer Fund Budgets.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

(Confidential) Attachment 1. RFO2019058 - Offer Evaluation Report (ECM5972208).

REPORTS FROM THE EXECUTIVE MANAGER PEOPLE, COMMUNICATION AND GOVERNANCE

6 [PCG-CM] Local Government NSW Annual Conference - Motions

SUBMITTED BY: Corporate Governance

nhm



Leaving a Legacy
Looking out for future generations



Making decisions with you
We're in this together

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- | | |
|-------|--|
| 1 | Leaving a Legacy |
| 1.4 | Managing Community Growth |
| 1.4.1 | Strategic Land-Use Planning - To plan for sustainable development which balances economic environmental and social considerations. Promote good design in the built environment. |
| 2 | Making decisions with you |
| 2.2 | Engagement |
| 2.2.4 | Councillor and Civic Business - To make informed decisions in the best interest of the community. |

ROLE: **Advocate**

SUMMARY OF REPORT:

The Local Government NSW Annual Conference is being held on 14-16 October 2019 in Warwick Farm. Tweed Shire Council, as a member, is able to put forward motions to be considered at the conference.

Motions are required to be submitted by 12 midnight AEST on Monday 19 August 2019.

RECOMMENDATION:

That Council submits the following motions for consideration at the Local Government NSW (LGNSW) 2019 Annual Conference.

1. Primitive Camping

That:

- 1. LGNSW requests that the State Government pursues amendments to the Local Government (Manufactured Home Estates, Caravan Parks, Camping Ground and Moveable Dwellings) Regulation 2005 to remove the definition of “primitive camping ground” and to seek a new term such as “passive camping ground” or “logistic camping ground”;**

2. **LGNSW advocates to the NSW Cabinet and Minister for Planning and Environment to undertake an evaluation of the environmental, social and economic benefit of permitting Primitive Camping as 'Exempt Development' to:**
- **Support and grow regional economies through direct and indirect visitor spend;**
 - **Provide additional income streams to farmers during periods of income stress;**
 - **Broaden the opportunity for short-term or temporal tourism;**
 - **Support other recreation or tourist attractions during major events; and**
 - **Provide an alternative low impact camping option to the traditional camping grounds.**

Primitive camping grounds are lower key than the more conventional in that they do not offer the same level of services, for example; they do not require sealed roads, or need to provide hot water or laundries, but nonetheless operating any form of camping ground is regulated and licensed under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 ("the Regulation"). The distinction between primitive and conventional camping grounds is defined by the Regulation however, there is no distinction under the Standard Instrument (Local Environmental Plans) Order 2006 and as such development consent is required in most cases.

Many regional towns and communities are located within geographic areas of high amenity, be that coastal beaches or hinterland, inland rivers and waterways, open savannah or more mountainous areas, which attracts a significant number of travellers and tourists. Most regional towns hold significant annual regional events or have significant temporal attractions that lead to shorter term influxes in visitation that are critical for their local economies.

There is a demonstrated need for variety in the range of camping grounds, as there is for their flexibility and affordability for both operators and visitors. Subdivision 9 of the Regulation sets out different standards for 'primitive camping grounds' and there is opportunity to align the planning system through the Standard Instrument or other environmental planning instrument to permit primitive camping grounds as exempt development. This would remove the time and cost associated with gaining development approval, which is often cost prohibitive and leads to higher and less affordable accommodation charges, and would still have the certainty on the current licensing scheme already operating under the Regulation. As locally exempt development it could provide each council with the ability to determine what the camping density rate should be and whether there is a temporal element to the operation similar to the government's position on short-term rental accommodation.

2. Psychological Injury Claims

That Local Government NSW advocates for changes to the Workers Compensation Act as it relates to Psychological Injuries.

With figures indicating that one in five (20%) Australians aged 16-85 experience a mental illness in any year provisions in the Workers Compensation Act, as they relate to psychological injury, need to be tightened so that employers do not unreasonably carry the cost burden need to address this societal issue.

Currently employers are required to take their employees as they find them, with liability for psychological injury only being reasonably excusable if the injury was wholly or predominantly caused by reasonable action taken or proposed to be taken by or on behalf of the employer with respect to transfer, demotion, promotion, performance appraisal, discipline, retrenchment or dismissal of workers or provision of employment benefits to workers.

REPORT:

Motions

Local Government NSW (LGNSW) has advised that proposed motions should be strategic, affect members State-wide and introduce new or emerging policy issues and actions.

Members are also encouraged to familiarise themselves with the existing principles and positions of LGNSW on issues of importance to the sector via the Policy Platform. When submitting a motion, members will be asked to identify if the proposed motion conflicts or likely conflicts with the existing Fundamental Principles and this will be noted for delegates in the Business Paper.

The following criteria is required to be met for motions to be included in the Business Paper for the Conference:

1. Consistent with the objects of the Association (see Rule 4 of the Association's rules);
2. Relate to Local Government in NSW and/or across Australia;
3. Concern or are likely to concern Local Government as a sector;
4. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
5. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. Clearly worded and unambiguous in nature; and
7. Do not express preference for one or several members over one or several other members.

Council must also provide evidence of its support for the motion. Such evidence may include an extract of the minutes of the meeting at which the Council resolved to submit the motion for consideration by the Conference.

Below is a list of the motions that have been tabled along with a summary of the accompanying information to be submitted to LGNSW as part of the application process.

1. Primitive Camping

That:

1. **LGNSW requests that the State Government pursues amendments to the Local Government (Manufactured Home Estates, Caravan Parks, Camping Ground and Moveable Dwellings) Regulation 2005 to remove the definition of "primitive camping ground" and to seek a new term such as "passive camping ground" or "logistic camping ground";**

2. **LGNSW advocates to the NSW Cabinet and Minister for Planning and Environment to undertake an evaluation of the environmental, social and economic benefit of permitting Primitive Camping as 'Exempt Development' to:**
- **Support and grow regional economies through direct and indirect visitor spend;**
 - **Provide additional income streams to farmers during periods of income stress;**
 - **Broaden the opportunity for short-term or temporal tourism;**
 - **Support other recreation or tourist attractions during major events; and**
 - **Provide an alternative low impact camping option to the traditional camping grounds.**

Primitive camping grounds are lower key than the more conventional in that they do not offer the same level of services, for example; they do not require sealed roads, or need to provide hot water or laundries, but nonetheless operating any form of camping ground is regulated and licensed under the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 ("the Regulation"). The distinction between primitive and conventional camping grounds is defined by the Regulation however, there is no distinction under the Standard Instrument (Local Environmental Plans) Order 2006 and as such development consent is required in most cases.

Many regional towns and communities are located within geographic areas of high amenity, be that coastal beaches or hinterland, inland rivers and waterways, open savannah or more mountainous areas, which attracts a significant number of travellers and tourists. Most regional towns hold significant annual regional events or have a significant temporal attractions that lead to shorter term influxes in visitation and that are critical for their local economies.

There is a demonstrated need for variety in the range of camping grounds, as there is for their flexibility and affordability for both operators and visitors. Subdivision 9 of the Regulation sets out different standards for 'primitive camping grounds' and there is opportunity to align the planning system through the Standard Instrument or other environmental planning instrument to permit primitive camping grounds as exempt development. This would remove the time and cost associated with gaining development approval, which is often cost prohibitive and leads to higher and less affordable accommodation charges, and would still have the certainty on the current licensing scheme already operating under the Regulation. As locally exempt development it could provide each council with the ability to determine what the camping density rate should be and whether there is a temporal element to the operation similar to the government's position on short-term rental accommodation.

2. Psychological Injury Claims

That Local Government NSW advocates for changes to the Workers Compensation Act as it relates to Psychological Injuries.

With figures indicating that one in five (20%) Australians aged 16-85 experience a mental illness in any year provisions in the Workers Compensation Act, as they relate to

psychological injury, need to be tightened so that employers do not unreasonably carry the cost burden need to address this societal issue.

Currently employers are required to take their employers as they find them, with liability for psychological injury only being reasonably excusable if the injury was wholly or predominantly caused by reasonable action taken or proposed to be taken by or on behalf of the employer with respect to transfer, demotion, promotion, performance appraisal, discipline, retrenchment or dismissal of workers or provision of employment benefits to workers.

OPTIONS:

Council needs to consider which motions will be presented to the 2019 Local Government NSW Annual Conference.

CONCLUSION:

Council needs to consider suitable motions for submission to the 2019 Local Government NSW Annual Conference.

COUNCIL IMPLICATIONS:

a. Policy:

Corporate Policy Not Applicable

b. Budget/Long Term Financial Plan:

Allowance is made within the Annual Budget for attendance at the 2019 Local Government NSW Annual Conference

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

7 [PCG-CM] Code of Conduct for Council Committee Members, Delegates of Council and Advisors

SUBMITTED BY: Corporate Governance

mhm



Behind the scenes
Providing support to make it happen

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

4	Behind the scenes
4.1	Assurance
4.1.1	Governance - To provide assistance to Councillors and support for Council to operate within its legal framework.

ROLE: **Leader**

SUMMARY OF REPORT:

At its meeting on 17 April 2019, Council adopted the Model Code of Conduct as three separate codes:

- a) Code of Conduct for Councillors Version 1.0;
- b) Code of Conduct – Council Staff Version 1.0; and
- c) Code of Conduct for Council Committee Members, Delegates of Council and Advisors Version 1.0

Training has been launched for staff and councillors, along with other initiatives to develop knowledge and awareness of the new Code.

As part of the implementation, it has been identified that the Code of Conduct for Council Committee Members, Delegates of Council and Advisors Version 1.0 as drafted by the Office of Local Government and adopted by Council applies to statutory committees only and does not have coverage of advisory committees.

To ensure the Code extends to all of Council's Committees, an amendment to the Model Code is required.

RECOMMENDATION:

That:

- 1. The Code of Conduct for Council Committee Members, Delegates of Council and Advisors Version 1.0 be amended to apply to both statutory and wholly advisory committees; and**
- 2. Council adopts the amended Code of Conduct for Council Committee Members, Delegates of Council and Advisors Version 2.0.**

REPORT:

It has been identified that the Model Code of Conduct for Council Committee Members, Delegates of Council and Advisors adopted by Council on 17 April 2019, applies to statutory committees and not advisory committees.

The Model Code of Conduct applies to 'council officials' which "includes councillors, members of staff of a council, council committee members, delegates of council and, for the purposes of clause 4.12, council advisers".

Under the Code as adopted, a 'council committee member' is "a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee".

A 'council committee' is defined as "a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to".

As Council's committees (with the exception of the Koala Beach Wildlife and Habitat Management Committee) are not delegated functions by Council, but act as advisory committees, they fall within the Code definition of a 'wholly advisory committee', which is defined as "a council committee that council has not delegated any functions to". The Model Code applies only to Council Committees and does not include Wholly Advisory Committees.

Under Council's previous Code of Conduct, a council committee was defined as "a committee established by resolution of council".

It is prudent that Council extends the Code of Conduct to its committee members. As Council's committees are primarily advisory committees, an amendment is required to ensure the Code extends to members of those committees. It is recommended that this practice continue by approving amendments to the Code to align with Council's previous Code and intent.

OPTIONS:

That the:

1. The Code of Conduct for Council Committee Members, Delegates of Council and Advisors Version 1.0 be amended to apply to both statutory and wholly advisory committees; and
2. Council adopts the amended Code of Conduct for Council Committee Members, Delegates of Council and Advisors Version 2.0; or
3. Council does not amend the Code of Conduct for Council Committee Members, Delegates of Council and Advisors Version 1.0.

CONCLUSION:

That the Code of Conduct for Council Committee Members, Delegates of Council and Advisors be extended to Council's advisory committees as set out in this report.

COUNCIL IMPLICATIONS:

a. Policy:

This report details the change in policy affected by the recommendation.

b. Budget/Long Term Financial Plan:

Nil.

c. Legal:

Not Applicable.

d. Communication/Engagement:

Inform - We will keep you informed.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Attachment 1:

Code of Conduct for Council Committee Members, Delegates of Council and Council Advisors (Model) Version 2.0 (ECM 5979079).

REPORTS FROM SUB-COMMITTEES/WORKING GROUPS

8 [SUB-TCWC] Minutes of the Tweed Coast and Waterways Committee Meeting held Wednesday 12 June 2019

SUBMITTED BY: Sustainability & Environment

mhm



Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.1 Natural Resource Management
- 1.1.3 Coastal Management - To protect and manage the use and quality of the Tweed's beaches and foreshores.

ROLE: Collaborator

SUMMARY OF REPORT:

The Minutes of the Tweed Coast and Waterways Committee Meeting held Wednesday 12 June 2019 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That:

1. The Minutes of the Tweed Coast and Waterways Committee Meeting held Wednesday 12 June 2019 be received and noted; and
2. The Executive Leadership Team's recommendations be adopted as follows:

A1. Tweed Estuary Coastal Management Plan Update

That Council places the Tweed Estuary Coastal Management Program on public exhibition for a minimum period of 60 days.

REPORT:

The Minutes of the Tweed Coast and Waterways Committee Meeting held Wednesday 12 June 2019 are reproduced as follows for the information of Councillors.

Venue:

Canvas & Kettle Meeting Room

Time:

9am

Present:

Rhonda James (Chair); Cr Chris Cherry; Bill Fenelon; Bill Hoskins; David Cranwell; Hamish Brace; John Harbison; Lindy Smith; Robert Quirk; Ian Berger; Peter Comerford; Jane Lofthouse; Tom Alletson, Marama Hopkins.

Apologies:

Cr Katie Milne, Carl Cormack, Tracey Stinson, Ben Fitzgibbon.

Prior to the commencement of the Agenda, Rhonda James spoke of the recent passing of Claire Masters, who represented Tweed Landcare on the Tweed River Committee for many years. It was acknowledged that Claire made an extraordinary contribution to the Tweed River Committee, and more generally to conservation and community life in the Tweed Shire. A condolence letter acknowledging Claire's highly valued contribution to the committee will be sent to her family.

Minutes of Previous Meeting:

Moved: David Cranwell

Seconded: Cr Cherry

RESOLVED that the Minutes of the Tweed Coast and Waterways Committee meeting held 13 February 2019 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

BA1. Terranora Broadwater Seagrass

Following a request at the February meeting Tom provided an overview of seagrass in Terranora Creek, including analysis of a seagrass meadow in the north of Terranora Broadwater with estimates of changes in seagrass total extent in the period 2016-2018.

While it was noted that there was some estimated decline in the patch boundary measured area from 2016 - 2018, this may not account for density changes within the patch, or more recently observed increases (2019 google map aerial photography) in seagrass area.

The matter of the provision of a detailed written report on the yabby population monitoring study was raised and Tom will contact DPI to enquire after this.

BA2. North Byron Parklands - Approval Conditions for Water Quality Monitoring

As per a previous request of the committee Tom will look into water quality monitoring conditions that may have been applied to North Byron Parklands through their approval.

Agenda Items:

A1. Tweed Estuary Coastal Management Program (CMP) Update

Tom provided an update on the Tweed Estuary CMP, specifically on its completion to exhibition draft status after incorporation of committee and NSW Agency comments. A copy of the CMP and all technical appendices was provided to the committee on a USB.

The next stage of the project is to place the CMP on public exhibition. Tom requested that the committee recommend to Council that the document be placed on public exhibition (minimum 60 days). A report to Council with this recommendation is intended to be sent to the August 2019 meeting, which would, if adopted, result in exhibition in October-November 2019. A workshop with Councillors will be arranged prior to the meeting.

It was acknowledged that Tweed Coast and Waterways Committee (TCWC) representatives had not had an opportunity to re-read the draft document following incorporation of their agency's comments. It was requested that if any representatives felt there was a problem with the document of such significance that it would be unfit for public exhibition, that they contact Tom to discuss this by the end of July. It was noted that committee representatives could make further recommendations on the document while it was on public exhibition.

RECOMMENDATION:

Moved: Robert Quirk

Seconded: Hamish Brace

That Council places the Tweed Estuary Coastal Management Program on public exhibition for a minimum period of 60 days.

A2. Tweed Coastline CMP Update

The Scoping Study for the Tweed Coast Coastal Management Program has commenced. The purpose of the scoping study is to set the strategic context and identify the issues, values, information gaps and roles and responsibilities for development and implementation of the coastal management program. Initial consultation will be with Council and State Agency officers.

A3. DPI Fisheries Flagship Habitat Action Grant

Tom presented a summary of a grant application soon to be submitted to DPI Fisheries, seeking funding for detailed investigation, design and costing of works to address river bank erosion and fish habitat degradation in the estuary between Murwillumbah and Stotts Island. The committee noted its support for the application.

A4. Animal Management - Beaches and Estuaries

Jane noted two reports going to the next Council meeting. The first has a recommendation to consider the issue of permits for commercial horse and/or camel rides on Tweed coast beaches in the development of the Coastal Management Program. The second report recommends the creation of two Dog Prohibited zones under the *Companion Animals Act 1998*.

- Cudgera Creek estuary - in the current dog exclusion zone
- Mooball Creek Pottsville - Ambrose Brown Park and the adjacent estuary to Low Water Mark.

General Business:

GB1. Council Restructure

Noted that a new Council structure has been adopted. The Natural Resource Management (NRM) Unit is now the Sustainability and Environment (S&E) Unit within the Sustainable Communities and Environment Division.

Council now has a dedicated "Coastal Ranger" position starting on 1 July sitting within S&E. In addition, there has been an increase in the budget allocation specifically for environmental works on the Tweed Coast Crown Reserve.

GB2. Robert Quirk

Robert Quirk advised that he had recently attended a program called Climate Reality Training, presented by Al Gore. Robert highlighted a number of predicted impacts of Climate Change and impacts already being experienced.

GB3. David Cranwell

- a. Mooball Creek log wall replacement update - Tom advised that Councils plan is to re-construct the log wall in mid-July 2019.
- b. David tabled a letter from Geoff Provest to a Pottsville resident on the condition of Mooball training walls and NSW/TSC funding responsibilities for their repair. A report on this matter will be brought back to the next TCWC meeting.
- c. David requested an update on the closure of the boardwalk/ramp access to Mooball Creek at Ambrose Brown Park. It was advised that enquiries would be made and an answer on this provided directly to David.

GB4. Overview of Coastal Floodplain Study

Tom read a document from NSW DPI Fisheries describing a series of studies that are intended to be completed on the Tweed River floodplain as part of the NSW Marine Estate Management Strategy. The studies will focus on threats to water quality and identify projects that can be undertaken on the floodplain to improve runoff quality.

Next Meeting:

The next meeting of the Tweed Coast and Waterways Committee will be held Wednesday 14 August 2019.

The meeting closed at 12.15pm.

EXECUTIVE LEADERSHIP TEAM COMMENTS:

A1. Tweed Estuary Coastal Management Plan Update

Nil.

EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:

A1. Tweed Estuary Coastal Management Plan Update

That Council places the Tweed Estuary Coastal Management Program on public exhibition for a minimum period of 60 days.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference - adopted by Council at its meeting on 17 November 2016 - Minute No. 517 (ECM 4316118).

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:

Nil.

9 [SUB-TCKM] Minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 4 June 2019

SUBMITTED BY: Sustainability & Environment

mhm



Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.1 Natural Resource Management
- 1.1.1 Biodiversity Management - To protect and manage the environment and natural beauty of the Tweed for current and future generations.

ROLE: **Leader**

SUMMARY OF REPORT:

The minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 4 June 2019 are reproduced in the body of this report for the information of Councillors.

RECOMMENDATION:

That the minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 4 June 2019 be received and noted.

REPORT:

The Minutes of the Tweed Coast Koala Management Committee Meeting held Tuesday 4 June 2019 are reproduced as follows for the information of Councillors.

Venue:

Mt Warning Room, Murwillumbah Civic Centre

Time:

1.30pm

Present:

Cr Katie Milne, Max Barnard, Rhonda James, Marama Hopkins, Scott Hetherington, Bill Hoskins, Tracey Stinson (part), Lorraine Vass, David Norris, Tanya Fountain, Jenny Hayes (part).

Apologies:

Mark Kingston

Minutes of Previous Meeting:

Moved: Rhonda James

Seconded: Katie Milne

RESOLVED that the Minutes of the Tweed Coast Koala Management Committee meeting held Tuesday 19 March be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

1. Marama to publish presentation of 2018 koala study as pdf slides on Council website and provide a copy of the presentation to the committee - complete.
2. Scott to prepare and distribute a media release sharing the successful KPOM outcomes (including the 2018 koala study and habitat restoration progress), together with acknowledgment of the awards received by committee members - not commenced.
3. Scott to request that Tanya undertake an analysis of opportunities and constraints for additional habitat restoration between Pottsville Wetland and Wooyung Nature Reserve, for discussion with committee at next meeting - not commenced.
4. Scott to discuss progress with maintenance at Black Rocks sports field with Recreation Services and bring information to the next meeting - complete.

Agenda Items:

1. Lot 919, Pottsville - koala holding facility construction update (Scott)

- Land survey complete
- Environmental assessment complete and EIS in final stages of preparation.
- Development application in preparation.
- Detailed planning for services and utilities underway. Solar power was preferred and investigated but not feasible.
- Request for quotation issued for food tree plantation.
- Construction commencement anticipated late 2019.

2. ARC Linkage project update (Scott)

- Presentation - Scott gave an overview of regional koala activity survey results to date.
- Output from this work will include regional habitat map and paper published on regional ecology including landscape associations and food tree preferences.

3. OEH SOS regional koala conservation and recovery project update (Scott)

- Project plan finalised and approved by Office of Environment and Heritage (OEH).
- 13 tenders received for project officer role. To be evaluated by panel consisting of representatives from Tweed Shire Council, Friends of the Koala and OEH.
- Aim to appoint project officer for three year project, commencing in July.
- Year 1 actions are: to commence negotiation of conservation agreements in areas of highest regional koala significance, improve koala rehabilitation outcomes through investment in veterinary care at Friends of the Koala's care centre, reduce koala road strike through design and planning for koala zones in Lismore and Ballina Shires and planting of additional koala habitat in high priority locations in Tweed and Byron Shires.
- Successful meeting with Biodiversity Conservation Trust held in April regarding arrangements to work together on negotiating and preparing applications for conservation agreements.

4. Koala habitat restoration update (Tanya)

- Tanya is now working as Bushland Officer not Threatened Species Project Officer, so for last few months has been wrapping up Koala Habitat Restoration tasks for handover to new Threatened Species Project Officer (yet to be engaged) who will be managing the Koala Habitat Restoration Program
- This has involved inspecting plantings undertaken over the last 6 to 7 years within the KPOM area and making sure any maintenance requirements are met. Many plantings still being used by koalas.
- Another action was ensuring all revegetation areas were accurately recorded and mapped.
- Plantings undertaken in the last year under KPOM and IYLPE projects have recovered well from hare browsing and dry and hot summer
- Recent community plantings organised or supported through the KPOM: Team Koala at the Pottsville Wetland and Friends of Cudgen NR at Lot 919
- Upcoming challenges for Koala Habitat Restoration program are engaging new landholders on the Tweed Coast. Understanding barriers to landholder engagement, promoting benefits and engaging effectively with landholders. Last community koala habitat planting undertaken last Saturday with an excellent turn out. The public interest in planting trees for koalas is strong and growing
- Committee members expressed thanks to Tanya for her work on habitat restoration to date.

5. NSW Koala Monitoring Plan (Scott)

- OEH Science Division are preparing a NSW Koala Monitoring Plan designed to address monitoring at a range of spatial scales across the state (state-wide, regional and local scale).
- Includes koala occupancy, disease, reproduction and genetic diversity.
- Local scale works will align with the three ARKs/SoS projects (Wingecaribee/southern highlands, Port Macquarie/Hastings and North East Hinterland).
- Methods and approach currently being finalised for approval by Chief Scientist.

- Likely to involve 10 survey sites in NE Hinterland, including health assessments with intent to commence in summer 2019/20.

6. NSW Research Plan applications submitted (Scott/Lorraine)

- NSW Koala Strategy/Koala Research Plan has \$2.8 million to allocate to new research projects. Tweed Shire Council partnered in two applications submitted by UQ and one by QUT:
- *Identifying priority areas for conserving regional koala populations facing multiple threats* - (Same partners as current ARC Linkage project, led by UQ, identify priority areas for koalas in changing climatic conditions, develop innovative methods to prioritise habitat areas based on population genetics, disease risks and potential management responses, factoring in modelled climate change and severe weather event risks)
- *Maximising outcomes for koalas on private land* - (UQ, RMIT, University of Sydney, BCT & Tweed Shire Council, led by UQ, develop new knowledge to design investment in private land conservation that best support koala conservation, including climate change adaptation.
- *One shot Chlamydia vaccination of NSW North Coast Koala Populations* (QUT)
- Decisions on grants were made/awarded last week. The project *Maximising outcomes for koalas on private land* was successful, others were unsuccessful. OEH received 38 applications to this program requesting funding of \$8,579,078, and following the assessment process, approved 10 grants with a total value of \$1,934,135.

7. Year 4 annual report & Year 5 work plan (Lorraine/Scott)

- Year 4 annual report in preparation.
- Year 5 work plan to include scheduled review of KPoM and completion of actions required to enable tracking of the plan's success, including register of developments assessed under the plan and their outcomes, monitoring/maintenance register for wildlife infrastructure. Critical review of plan actions is required to ensure they are time-constrained and measurable.
- Committee to be involved in 5-year review of plan.
- Other year 5 priorities include: fire management and planning, further road education, temporary/mobile koala road signage, increasing compliance effort in high-risk areas, securing site for koala food tree plantations (including following up on potential for establishment at the Kingscliff Sustainability Centre).

Action: Marama to follow up on Uki plantation site maintenance progress.

Action: Scott to invite Director Engineering to next meeting to discuss potential for establishment of food tree plantation/s on Council land managed by the Water Unit.

- Concern was raised around impact of clearing for APZ requirements, particularly dwellings being built without approval.
- Suggestion to include development of a register of illegal clearing incidents within the plan area as part of the plan review.

General Business:

GB1. Black Rocks sports field koalas (David)

- Maintenance actions eg. reducing maintenance activity/disturbance to koalas, formalised parking and buffer creation to be integrated to master plan that is now in development as per recent Council resolution. Scott to represent KMC on master planning stakeholder

group. Draft master plan expected to be available for KMC consideration and input by September meeting.

Action: Marama to recheck tree-planting conditions on Men's Shed development approval.

- Dave has recently observed both sick and healthy koalas in Black Rocks area.

GB2. Clothiers Creek Rd koala mortality (Jenny)

- Jenny raised concern about ongoing mortality on Clothiers Creek Rd following recent media.
- Group members to consider nominating a speed camera location via Service NSW website.

Action: Marama to forward link to group.

- Discussion around effectiveness of messaging - research is clear that positive is more effective, and increasing awareness.

Action: Marama to request sharing of koala road sightings through Council social media when opportunity arises.

Next Meeting:

1.30pm Tuesday 17 September 2019 in the Canvas and Kettle meeting room, Murwillumbah Civic Centre.

The meeting closed at 3.50pm.

EXECUTIVE MANAGEMENT TEAM'S COMMENTS:

Nil.

EXECUTIVE MANAGEMENT TEAM'S RECOMMENDATIONS:

Nil.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice.

Terms of Reference – adopted 17 November 2017 (ECM 4316512)

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:

Nil.

10 [SUB-LTC] Minutes of the Local Traffic Committee Meeting held Thursday 27 June 2019

SUBMITTED BY: Roads and Stormwater

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
- 3.3 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: Advocate

SUMMARY OF REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 27 June 2019 are reproduced in the body of this report for the information of Councillors.

It should be noted that on Item A7, the vote by the Local Traffic Committee was split and therefore, in accordance with Roads and Maritime Services of NSW (RMS) 'A guide to the delegation to councils for the regulation of traffic' Version 1.3 issued March 2009, if Council resolves to support the recommendation then advice of this must be provided to RMS and Police. The RMS and Police have 14 days to appeal the decision at which point it will be referred to the Regional Traffic Committee. If an appeal is not lodged then the resolution of Council can be implemented.

RECOMMENDATION:

That:

- 1. The Minutes of the Local Traffic Committee Meeting held Thursday 27 June 2019 be received and noted and**
 - 2. The Executive Leadership Team's recommendations be adopted as follows:**
 - A1. [LTC] Charles Street, Murwillumbah**
-

That the school bus zone adjacent Number 6 Charles Street, Murwillumbah, be reduced by 10 metres.

A2. [LTC] Pottsville Beach Public School - Tweed Coast Road

That the school crossing for Pottsville Beach Public School on Tweed Coast Road near Elrond Avenue be removed and that another school crossing location be considered in consultation with the school.

A3. [LTC] Kingscliff Triathlon 22 March 2020

That the proposed Kingscliff Triathlon on 22 March 2020 be supported, subject to:

- 1. NSW Police approval being obtained.***
- 2. Endorsement of the event by Bicycle NSW.***
- 3. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.***
- 4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.***
- 5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.***
- 6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.***
- 7. Adequate public liability insurance being held by the event organiser.***
- 8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.***
- 9. Consultation with emergency services and any identified issues addressed.***
- 10. Arrangements made for private property access and egress affected by the event.***
- 11. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.***
- 12. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.***
- 13. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.***
- 14. Endorsement of the event by the Kingscliff Chamber of Commerce.***
- 15. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.***

- 16. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.**

A4. [LTC] Tweed Coast Enduro 7 March 2020

That the proposed Tweed Coast Enduro on 7 March 2020 be supported, subject to:

- 1. NSW Police approval being obtained.***
- 2. Endorsement of the event by Bicycle/Triathlon NSW.***
- 3. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.***
- 4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.***
- 5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.***
- 6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.***
- 7. Adequate public liability insurance being held by the event organiser.***
- 8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.***
- 9. Consultation with emergency services and any identified issues addressed.***
- 10. Arrangements made for private property access and egress affected by the event.***
- 11. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.***
- 12. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.***
- 13. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.***
- 14. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.***
- 15. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.***

A5. [LTC] Coral Street, Tweed Heads

The Chairperson requested that this item be placed on the Schedule of Outstanding Resolutions.

A6. [LTC] Kennedy Drive, Norman Street, Tweed Heads

That:

- 1. A Safer Roads Nomination be submitted generally in accordance with Option 1, being the installation of right turn lanes into Norman Street and into the Boat Ramp, minor kerb realignment, pedestrian refuge and formalising the ingress/egress for Boat Ramp access.***
- 2. The concept design be referred back to the Committee for comment.***

A7. [LTC] Pacific Drive and Terranora Road, Banora Point

That subject to the advice of Roads and Maritime Services and New South Wales Police as per the RMS 'A guide to the delegation to councils for the regulation of traffic' Version 1.3 issued March 2009:

- 1. A 15m 'No Stopping' line be installed on Terranora Road, Banora Point, east of the Pacific Drive intersection.***
- 2. Adjacent residents/businesses be advised that Council's rangers may issue infringements to vehicles parked within 3m of the double centre lines.***

A8. [LTC] Wharf Street, Tweed Heads - Bus Zone

That the southbound bus zone adjacent to Tweed Mall, Wharf Street, be extended south of the pedestrian crossing and replace the six public parking spaces. The zone should be used for terminating services only.

REPORT:

The Minutes of the Local Traffic Committee Meeting held Thursday 27 June 2019 are reproduced below for the information of Councillors:

VENUE:

Mt Warning Meeting Room

TIME:

Commencing at 9.30am

PRESENT:

Committee Members: Cr James Owen, Ms Linda Makejev, Roads and Maritime Services of NSW, Mr Rod Bates on behalf Mr Geoff Provest MP, Member for Tweed Mr Col Brooks on behalf of Ms Janelle Saffin MP, Member for Lismore.

Informal: Miss Alana Brooks (Chairperson), Cr Chris Cherry, Ms Judith Finch (Minutes Secretary).

APOLOGIES:

Mr Ray Clark, Snr Constable Chris Davis, Mr Shane Davidson.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MIN1 [LTC-MIN] Confirmation of Previous Minutes Meeting held 30 May 2019

RESOLVED that the Minutes of the Local Traffic Committee Meeting held 30 May 2019 be adopted as a true and accurate record of the proceedings of that meeting.

SCHEDULE OF OUTSTANDING RESOLUTIONS

SCH1 [LTC-SOR] Schedule of Outstanding Resolutions 27 June 2019

From Meeting held 30 May 2019

B1 [LTC] Bakers Road, Byangum

ORIGIN:

Roads & Stormwater

FILE NO: ECM5687631: Traffic - Committee: Weight of Vehicles: Bakers Road, Byangum.

SUMMARY OF REPORT:

Applicant's Information:

The applicant would appreciate if the 'Traffic and Road Safety Committee' consider requesting a vehicle weight limit of 14.5 tonnes on Bakers Road in Byangum.

The road has many blind corners, trees near the edge of the road and steep drop offs. Recently there has been an increase in very large water tankers using this road and making it extremely dangerous.

There has been some feedback on social media about how this road has become more dangerous.

Attached is a heavy vehicle trip planner showing the recommended route through Murwillumbah. It also shows some of the tight blind corners on Bakers Road.

Officer's Comment:

There is no evidence of the increase in heavy vehicle movements on Bakers Road and it is recommended that traffic volumes surveys be carried out to determine the actual number of heavy vehicles. However, it would be unlikely that heavy vehicles would use this road to bypass Murwillumbah town centre. Google Maps indicates that it would take longer and increased distance using Bakers Road to get to the roundabout at Alma Street at Tweed Valley Way.

COMMITTEE ADVICE:

That:

- 1. Traffic surveys be carried out on Bakers Road, Byangum to determine the extent of heavy vehicle use and these surveys be brought back to the Committee upon completion.**
- 2. Bakers Road, Byangum be added to the Schedule of Outstanding Resolutions.**

Current Status: *That Bakers Road Byangum (B1) from Local Traffic Committee meeting held 2 May 2019 remain on the list of Outstanding Resolutions.*

(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 28 February 2019 (Item B1).

B4 [LTC] Fraser Drive, Banora Point

ORIGIN:

Roads & Stormwater

FILE NO: ECM5785148; Traffic - Committee; Fraser Drive – Banora Point; Harrier Street; Speed Zones

SUMMARY OF REPORT:

Request received for a reduction of the 80km/h speed limit on Fraser Drive.

Applicant's Information:

The applicant is concerned that the speed limit is inconsistent and inappropriate given the adjacent developments.

Officer's Comment:

The 80km/h section on Fraser Drive is approximately 1km in length from Harrier Street to just north of Vintage Lakes Drive. There is 60km/h sections north and south of this speed zone.

A review of the five year crash history found one non-injury and one injury crash, both single vehicle run off road.

The new developments accessing Fraser Drive have 2 intersections which have been designed for an 80km/h speed zone.

The Chairman requested that this item be added to the Schedule of Outstanding Resolutions.

COMMITTEE ADVICE:

That:

1. The request for a reduction of the 80km/h speed limit on Fraser Drive, Banora Point be referred to the Roads and Maritime Services, who are the authority on speed limits in NSW.
2. This item be placed on the Schedule of Outstanding Resolutions.

Current Status: *That Fraser Drive, Banora Point (B4) from Local Traffic Committee meeting held 2 May 2019 remain on the list of Outstanding Resolutions.*

(This item was originally listed as an Outstanding Resolution at the Local Traffic Committee Meeting held 2 May 2019 (Item B4).

BUSINESS ARISING

Nil.

A. FORMAL ITEMS SECTION

DELEGATIONS FOR REGULATORY DEVICES - MURWILLUMBAH

A1 [LTC] Charles Street, Murwillumbah

ORIGIN:

Roads & Stormwater

FILE NO: ECM 5879170; Traffic - Committee; Parking Zones; Charles Street, Murwillumbah

SUMMARY OF REPORT:

Applicant's Information:

Please would you kindly take a second look at the parking restriction outside my house.

The buses and cars don't need as much space on the road to park from the school and I'm requesting that the restriction line is reduced by two car lengths from the furthest point away

from the school (where my current car is parked in the photos) so I can use the space at all times without having to worry about a parking ticket between 3pm and 4pm outside my house.

I have attached photos.

Officer's Comment:

There are two bus zones that service East Murwillumbah Primary School. The subject bus zone in Charles Street is only serviced by Gosels Bus Service. They currently have two buses (varying between 7.5m and 12m) in the morning and afternoon. However, this varies between two and three buses from year to year depending on student demand. The bus company would support reducing the zone by 10 metres as this would still allow three buses to service the zone in the future.

RECOMMENDATION TO COUNCIL:

That the school bus zone adjacent Number 6 Charles Street, Murwillumbah, be reduced by 10 metres.

FOR VOTE - Cr James Owen, Mr Col Brooks on behalf of Ms Jennifer Saffin, MP Member for Lismore, Ms Linda Makejev, Roads & Maritime Services

DELEGATIONS FOR REGULATORY DEVICES - TWEED HEADS

A2 [LTC] Pottsville Beach Public School - Tweed Coast Road

ORIGIN:

Roads & Stormwater

FILE NO: ECM 5934811; Traffic - Committee; Traffic - School Zones; Pottsville Beach Public School; Tweed Coast Road, Pottsville

SUMMARY OF REPORT:

Applicant's Information:

Request received regarding the school's advice that they are no longer able to put flags up and down for students to cross at each day and will ensure families are aware.

The roundabout has no other crossing features and families refuse to use the roundabout due to traffic safety. We do not have the consistency for a member of staff to place school zone flags at the roundabout near the school, which is what is currently happening.

Officer's Comment:

While there are options for relocating the crossing away from the roundabout, this still needs to be supported by the school as installation of the crossing flags requires a signed commitment from the Principal.

The school principal has indicated that the school does not have the resources to manage the flags at this time.

RECOMMENDATION TO COUNCIL:

That the school crossing for Pottsville Beach Public School on Tweed Coast Road near Elrond Avenue be removed and that another school crossing location be considered in consultation with the school.

FOR VOTE - Mr Rod Bates on behalf of Mr Geoff Provest, MP Member for Tweed, Ms Linda Makejev, Roads & Maritime Services

A3 [LTC] Kingscliff Triathlon 22 March 2020

ORIGIN:

Roads & Stormwater

FILE NO: ECM5921657; Traffic - Committee; Festivals \ Events - Other; Community Events on Council Administered Land; Marine Parade, Kingscliff; Kingscliff Street, Kingscliff; Chinderah Bay Drive, Chinderah;

SUMMARY OF REPORT:

Applicant's Information:

The 20th Biannual Kingscliff Triathlon is planned to be held on Sunday 22 March 2020. The Kingscliff Triathlon has experienced a substantial growth since its inception. The estimated attendance is 1200 Triathlon participants, 100 Social participants and 1500 spectators.

Officer's Comment:

The Triathlon has been operating for several years and each year improvements are made to the Traffic Management Plan to lessen the impact on Kingscliff residents and businesses.

RECOMMENDATION TO COUNCIL:

That the proposed Kingscliff Triathlon on 22 March 2020 be supported, subject to:

1. NSW Police approval being obtained.
 2. Endorsement of the event by Bicycle NSW.
 3. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
 4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.
 5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
 6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
 7. Adequate public liability insurance being held by the event organiser.
 8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
 9. Consultation with emergency services and any identified issues addressed.
-

10. Arrangements made for private property access and egress affected by the event.
11. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
12. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.
13. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
14. Endorsement of the event by the Kingscliff Chamber of Commerce.
15. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.
16. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.

FOR VOTE - Cr James Owen, Ms Linda Makejev, Roads & Maritime Services, Mr Rod Bates on behalf of Mr Geoff Provest, MP Member for Lismore

A4 [LTC] Tweed Coast Enduro 7 March 2020

ORIGIN:
Roads & Stormwater

FILE NO: ECM5921642; Traffic - Committee; Festivals / Events - Other; Community Events on Council Administered Land

SUMMARY OF REPORT:

Applicant's Information:

An application has been submitted to conduct the sixth Tweed Coast Enduro Triathlon (TCE20) on Saturday 7 March 2020. The Tweed Coast Enduro is a long course distance triathlon event (1.9km swim, 90km cycle and 21.1km run) that will complete the cornerstone of multisport including two Kingscliff Triathlons and the Byron Bay Triathlon, which have become marquee sports tourism events. The long-distance triathlon will attract about 550 participants and the social and team is expected to attract 100 competitors, plus an estimated 1000 supporters. Based on the applicants past experience they anticipate that most competitors will be coming from Queensland, the Tweed, Sydney and regional areas.

Officer's Comment:

This event has been running for 6 years without major complaint to Council in relation to traffic management issues.

RECOMMENDATION TO COUNCIL:

That the proposed Tweed Coast Enduro on 7 March 2020 be supported, subject to:

1. NSW Police approval being obtained.
2. Endorsement of the event by Bicycle/Triathlon NSW.

3. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.
5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
7. Adequate public liability insurance being held by the event organiser.
8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
9. Consultation with emergency services and any identified issues addressed.
10. Arrangements made for private property access and egress affected by the event.
11. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
12. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.
13. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
14. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.
15. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.

FOR VOTE - Ms Linda Makejev, Roads & Maritime Services, Mr Rod Bates on behalf of Mr Geoff Provest, MP Member for Lismore

A5 [LTC] Coral Street, Tweed Heads

ORIGIN:

Roads & Stormwater

FILE NO: ECM 5852647; Traffic - Committee; Parking Zones; Accessibility Matters; Coral Street

SUMMARY OF REPORT:

Applicant's Information:

My concern is the lack of "accessible" parking spaces around Durambah Beach and Point Danger. Comparing our situation with that over the border, at Rainbow Bay there are 2 "accessible" parking spaces on Marine Parade adjacent to Ward Street, another 2 parking spaces on the corner of Marine Parade and Snapper Rocks Road and another at the end of Snapper Rocks Road, making a total of 5 within 200 metres along the beach front.

At Point Danger at the Lighthouse the only 2 “accessible” parking spaces available are on the Qld side of the border. There are 2 parking spaces on the NSW side for “Emergency Vehicles” however I have rarely seen any vehicles parked in these spaces.

At Duranbah Beach there are no “accessible” parking spaces. I would like the Tweed Shire Council to consider allocating an “accessible” parking space at the end of Coral Street at Lover’s Rock Park and also at the VMR building (only toilets at Duranbah Beach). I have personal reasons for requesting these spaces however what has made me take this issue up is that the Tweed Shire Council granted the World Surf League a licence to conduct a surfing event at Duranbah Beach for 5 days and I spoke to 3 disabled people who had difficulty accessing the competition area. They were visitors to Tweed Heads and could not understand why our community did not consider their needs. As you may be aware the Federal Government has announced a Royal Commission into the Disability Sector and I think our community should step up and consider their needs.

Officer's Comment

It was noted that there were no accessible car parking spaces to access the Lovers Rock Park. The end of Coral Street has been closed for filming for the past few months. Council's Road Safety Officer and Ageing and Disability Officer will meet on site and identify the most suitable accessible parking space in this vicinity. This location was discussed at the Equal Access Advisory Group meeting and supported.

There are 2 accessible parking spaces in the car park at Point Danger which are considered adequate for the number of spaces in this area.

Further assessment will be undertaken as to the suitability of installing an accessible parking space near the public toilets that service Duranbah Beach.

The Chairperson requested that this item be placed on the Schedule of Outstanding Resolutions.

COMMITTEE ADVICE:

That:

- 1. An accessible parking space be installed in Coral Street, Tweed Heads in the vicinity of Lovers Rock Park, subject to funding.**
- 2. An accessible parking space be installed in the vicinity of the public toilets at Duranbah Beach if deemed appropriate by Council's Ageing and Disability Officer.**

A6 [LTC] Kennedy Drive, Norman Street, Tweed Heads

ORIGIN:

Roads & Stormwater

FILE NO: ECM 5933752; Traffic - Committee; Local Area Traffic Management; Norman Street, Kennedy Drive, Tweed Heads

SUMMARY OF REPORT:

Applicant's Information:

The intersection has been reviewed a number of times over an extended period of time and several options have been put forward including traffic signals and a roundabout.

The predominant crash type is that vehicles turning right into Norman Street are being rear ended by west bound vehicles on Kennedy Drive.

Advice from external consultants, during the Tweed Road Development Strategy review, was that signals and roundabout options were not recommended due to the changes in driver routes resulting in these options.

Committee comments are requested on linemarking options for the intersection upgrade.

Officer's Comment:

Option 1 – Creates right turn lanes into Norman St and into Boat Ramp. Requires minor kerb realignment. Includes pedestrian refuge. Loss of on road parking on Kennedy Drive. Formalises ingress/egress for Boat Ramp.

Option 2 – Left out of Norman Street only. Left in and left out of Boat Ramp only.

Option 3 - Left in and left out of Boat Ramp only. Right turn lane into Norman Street. Left and right turn from Norman Street.

Option 4 – Right turn lane into Norman Street. Loss of parking. Includes refuge. Right turn into Boat Ramp remains as is.

Preferred Option is No. 1 and the Committee agreed that this appears to be the best option.

The Committee requested to be kept up to date with the updated design plans for Option No. 1.

RECOMMENDATION TO COUNCIL:

That:

- 1. A Safer Roads Nomination be submitted generally in accordance with Option 1, being the installation of right turn lanes into Norman Street and into the Boat Ramp, minor kerb realignment, pedestrian refuge and formalising the ingress/egress for Boat Ramp access.**
- 2. The concept design be referred back to the Committee for comment.**

FOR VOTE - Cr James Owen, Ms Linda Makejev, Roads & Maritime Services, Mr Rod Bates on behalf of Mr Geoff Provest, MP Member for Lismore

A7 [LTC] Pacific Drive and Terranora Road, Banora Point

ORIGIN:

Roads & Stormwater

FILE NO: ECM 5894159; Traffic – Committee; Traffic – Linemarking; Traffic – Parking Zones; Pacific Drive; Terranora Road

SUMMARY OF REPORT:

Applicant's Information:

The customer requested a review of the previous Committee's advice that the installation of 'No Stopping' lines on Terranora Road east off Pacific Drive was not supported. The customer wanted the opportunity to provide further information on site.

Officer's Comment:

The Committee considered and did not support a request for 'No Stopping' lines on Terranora Road, Banora Point on the approaches to Pacific Drive, at the meeting dated 28 February 2019. Following our response, local residents requested an on-site meeting with Council Officers to better explain their concerns. Council Officers met with approximately 14 residents who were all concerned about the sight distance at the intersection, particularly to the right when turning out of Pacific Drive.

While sight distance was still considered reasonable, if cars are parked between 0 and 15m from the intersection, motorists need to look further down the road to determine if a vehicle is approaching so the decision is more complex. Sight distance for motorists exiting Pacific Drive is also compromised by a crest to the west and it was noted that many vehicles appeared to be speeding. Due to the complexities of the intersection consideration could be given to installing 15m of yellow 'No Stopping' lines on Terranora Road.

The residents also reported that vehicles were regularly being parked on Pacific Drive within 3m of the double centre line, causing motorists turning to cross the centre lines. The installation of further prohibitive signage or linemarking is not supported however adjacent residents/businesses should be advised that Council's rangers may issue infringements to vehicles parked within 3m of the double centre lines.

Katherine Boulton joined the meeting at 11:00am

The Member for Tweed's Representative considered that sight distance was adequate and that it may set a precedent for linemarking in residential areas.

RMS supported the recommendation.

RECOMMENDATION TO COUNCIL:

That:

- 1. A 15m 'No Stopping' line be installed on Terranora Road, Banora Point, east of the Pacific Drive intersection.**
- 2. Adjacent residents/businesses be advised that Council's rangers may issue infringements to vehicles parked within 3m of the double centre lines.**

A8 [LTC] Wharf Street, Tweed Heads - Bus Zone

**ORIGIN:
Roads & Stormwater**

FILE NO: ECM 5936908; Traffic - Committee; Parking Zones; Wharf Street, Tweed Heads

SUMMARY OF REPORT:

Applicant's Information:

This item has been brought forward from the Roads & Stormwater Unit for Committee consideration of the extension of the southbound bus zone adjacent to Tweed Mall, Wharf Street, Tweed Heads.

Officer's Comment:

Following community concerns, Council Officers have observed the functioning of the southbound bus zone in Wharf Street, Tweed Heads and it was considered to be an insufficient length to cater for the number of buses that service the stop. It is proposed to extend the bus zone south of the pedestrian crossing and remove six spaces.

The current sidewalk formation is not wide enough to install bus shelters. Installing shelters in the proposed section would require a kerb extension and significant costs but could be considered in the future. For this reason, this zone is proposed to be used for terminating services only. This would also minimise confusion for bus travellers.

There are seven Surfside buses that terminate per hour that could utilise the new zone. Surfside Buslines are supportive of the proposal.

Safe sight distance for vehicles turning out of the Tweed Mall would need to be ensured when determining the length of the new zone.

Maurine Lumme made a presentation to the Committee requesting that all parking on the eastern side of Wharf Street between Bay Street and Frances Street be converted to bus zones.

RECOMMENDATION TO COUNCIL:

That the southbound bus zone adjacent to Tweed Mall, Wharf Street, be extended south of the pedestrian crossing and replace the six public parking spaces. The zone should be used for terminating services only.

Cr Owen left the meeting at 10.41am

FOR VOTE - Cr James Owen, Ms Linda Makejev, Roads & Maritime Services, Mr Rod Bates on behalf of Mr Geoff Provest, MP Member for Lismore

B. INFORMAL ITEMS SECTION

GENERAL TRAFFIC ADVICE - MURWILLUMBAH

B1 [LTC] Festival of Speed on Tweed Change of Dates

ORIGIN:

Roads & Stormwater

FILE NO: ECM5892027; Festivals - Speed on the Tweed Event; Traffic - Committee;

SUMMARY OF REPORT:

Applicant's Information:

See Officer's comment.

Officer's Comment:

The Organising Committee for The Festival of Speed on Tweed has made the determination to postpone this event from 6, 7 and 8 September 2019 to 4, 5 and 6 September 2020. This will better facilitate aspects relevant to the construction of the track and allow further time to gain major sponsorship support.

COMMITTEE ADVICE:

That the proposed new dates for The Festival of Speed on Tweed be 4, 5 and 6 September 2020 are noted and the Festival is supported in principle, subject to detailed traffic management plans being submitted at least 6 months prior to the event.

GENERAL TRAFFIC ADVICE - TWEED HEADS

B2 [LTC] Peninsula Drive, Bilambil Heights

ORIGIN:

Roads & Stormwater

FILE NO: ECM5925994; Traffic - Committee; Traffic - Directional Signs; Traffic - Safety; Traffic - Parking Zones; Traffic - Issues; Peninsula Drive, Bilambil Heights; Diane Crescent, Bilambil Heights;

SUMMARY OF REPORT:

Applicant's Information:

The applicant believes that vehicles are parking in a hazardous manner on Peninsula Drive at the intersection of Diane Crescent, Bilambil Heights. When entering Diane Crescent or continuing along Peninsula Drive eastbound, you end up on the wrong side of the road and you cannot see oncoming traffic because of the rise.

When turning left out of Diane Crescent into Peninsula Drive, there are times you are braking hard to allow someone to pass on your side of the road driving at speed, which is not uncommon. This has been a problem for many years but lately the number of cars parked on this section of narrow road has increased. The small boat on the trailer has been there for months and adds to the problem. The applicant feels that perhaps a couple of no parking signs on Peninsula Drive near the intersection would alleviate this traffic safety matter.

Officer's Comment:

A site inspection will be carried out prior to the meeting and advice provided to the Committee.

COMMITTEE ADVICE:

That prohibitive parking signage is not supported on Peninsula Drive at the intersection of Diane Crescent, Bilambil Heights. Prohibitive parking is generally not installed in residential areas unless there is a significant safety issue and this intersection configuration has been operating without a reported crash history.

B3 [LTC] DWY19/0016 Proposed Roundabout for Access to the Kings Forest Subdivision - Tweed Coast Road, Kings Forest

ORIGIN:
Roads & Stormwater

FILE NO: ECM 5934000; DWY19/0016; Traffic - Committee; Traffic - Roundabouts; Applications Driveway - Section 138 Approval - DWY; Tweed Coast Road, Kings Forest; Old Bogangar Road

SUMMARY OF REPORT:

Applicant's Information:

RMS has requested that this item be discussed in relation to whether a roundabout is or is not the most suitable option for this location.

Questions raised by RMS are:

1. *How will the intersection correspond with the existing access to Old Bogangar Road as well as the management of pedestrian/ bicycle movements across and along Tweed Coast Road.*
2. *Additionally there are concerns for the associated speed zoning. If the proposed roundabout is approved then this will trigger a speed zone review to 60 km/h to accommodate the roundabout, which will leave sub-standard and below minimum remnant speed zones on either side of the intersection.*

Formal concurrence to a final design will be provided when the final plans are ready. These designs should be forwarded to development.northern@rms.nsw.gov.au with a request for S138 concurrence.

Officer's Comment:

Plans will be provided at the meeting for comments from the Committee.

Danny Rose joined the meeting at 9.47am

The Committee supported the roundabout intersection treatment in principle.

It was recognised that a further meeting needs to be held with Council officers and RMS to agree the best layout and discuss the issues around the speed zone.

COMMITTEE ADVICE:

That:

1. **The roundabout is supported in principle as the most appropriate intersection treatment for Kings Forest Parkway and Tweed Coast Road.**
2. **A further meeting be held with Council officers, RMS and the developer's traffic engineers to decide the best layout and discuss the issues around the speed zone.**

Danny Rose left the meeting at 10.17am.

B4 [LTC] Terranora Road, Sexton Hill Drive, Banora Point

**ORIGIN:
Roads & Stormwater**

FILE NO: ECM 5933795; Traffic - Committee; Local Area Traffic Management; Speed Zones; Petition; Terranora Road, Sexton Hill Drive, Banora Point; Pacific Drive

SUMMARY OF REPORT:

Applicant's Information:

Request received in relation to traffic and noise problems in the area of the Freedom Aged Care units on the corner of Terranora Road and Sexton Hill Drive, Banora Point.

There are 84 units in the complex and many residents, visitors, commercial and delivery vehicles arriving and departing daily, together with garbage disposal units twice weekly and Ambulance and Fire Brigade vehicles when needed. There is a large staff change over 3 times daily and our Community Bus is in use most days. Visibility when exiting the complex is difficult with many cars speeding to and from the traffic lights, also loud noise from exhausts.

To alleviate the problem:

1. 40 km sign or painted on road south of lights on Sexton Hill. Pedestrian Speed Bump or light or short of lights when approaching Left Hand turn into Terranora Road.
2. Blind spot from our gate exit top of Terranora Road. 50km zone applies. Reduce to 40km after last 50km sign. Place pedestrian speed hump across Terranora Road to stop vehicle speeding to lights at Sexton Hill Drive. This will alleviate speed, accidents and safety to all concerned at Freedom. We have a blind spot due to curve in the top of hill.

There are several pedestrian speed bumps and 40km zones near St Joseph's School, Banora Point, also Darlington drive. We feel we are in a worse position due mainly the lack of police working the area.

In previous correspondence on this subject we have had cars smashing into each side of our entrance and a young man killed just up Terranora Road.

Officer's Comment:

Similar requests were received from the applicant in 2014 and the following advice was provided:

"That:

1. *The reduction in speed limit to 30km/h is not supported as the request does not conform with the RMS Speed Zoning Guidelines and the installation of a speed bump at the marked pedestrian crossing may lead to rear end crashes and this is not considered a standard treatment for these devices.*
2. *Council officers investigate installing an additional 50km/h speed zone sign on Terranora Road in close proximity to the signals at Sexton Hill Drive.*

3. *Existing crossing facilities exist at the traffic signals and additional marked crossings within this vicinity would not meet the warrants nor conform to RMS Guidelines for these devices.*
4. *The reduction in speed limit to 30km/h is not supported as the request does not conform with the RMS Speed Zoning Guidelines."*

It should be noted that the majority of the concerns raised relate to the position of the facility's driveway and the surrounding fence, which limits sight distance. The facility could consider improving access to and from the site. To limit potential conflict, motorists could turn left from the facility and use alternate routes.

COMMITTEE ADVICE:

That the installation of 40km/h stencils are not supported as they do not comply with the RMS Speed Zoning Guidelines. The installation of raised pedestrian speed platforms are not supported as these types of devices should not be installed on to major roads.

NEXT MEETING:

The next meeting of the Local Traffic Committee will be held 25 July 2019 in the Mt Warning Meeting Room commencing at 9.30am.

There being no further business the Meeting terminated at 11:35am.

EXECUTIVE LEADERSHIP TEAM COMMENTS

A1. [LTC] Charles Street, Murwillumbah

Nil.

A2. [LTC] Pottsville Beach Public School - Tweed Coast Road

Nil.

A3. [LTC] Kingscliff Triathlon 22 March 2020

Nil.

A4. [LTC] Tweed Coast Enduro 7 March 2020

Nil.

A5. [LTC] Coral Street, Tweed Heads

Nil.

A6. [LTC] Kennedy Drive, Norman Street, Tweed Heads

Nil.

A7. [LTC] Pacific Drive and Terranora Road, Banora Point

The vote by the Local Traffic Committee was split and therefore in accordance with RMS 'A guide to the delegation to councils for the regulation of traffic' Version 1.3 issued March 2009, if Council resolves to support the recommendation then advice of this must be provided to RMS and Police. The RMS and Police have 14 days to appeal the decision at which point it will be referred to the Regional Traffic Committee. If an appeal is not lodged then the resolution of Council can be implemented.

A8. [LTC] Wharf Street, Tweed Heads - Bus Zone

Nil.

EXECUTIVE LEADERSHIP TEAM RECOMMENDATIONS:

A1. [LTC] Charles Street, Murwillumbah

That the school bus zone adjacent Number 6 Charles Street, Murwillumbah, be reduced by 10 metres.

A2. [LTC] Pottsville Beach Public School - Tweed Coast Road

That the school crossing for Pottsville Beach Public School on Tweed Coast Road near Elrond Avenue be removed and that another school crossing location be considered in consultation with the school.

A3. [LTC] Kingscliff Triathlon 22 March 2020

That the proposed Kingscliff Triathlon on 22 March 2020 be supported, subject to:

1. NSW Police approval being obtained.
2. Endorsement of the event by Bicycle NSW.
3. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.
5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
7. Adequate public liability insurance being held by the event organiser.
8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
9. Consultation with emergency services and any identified issues addressed.

10. Arrangements made for private property access and egress affected by the event.
11. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
12. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.
13. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
14. Endorsement of the event by the Kingscliff Chamber of Commerce.
15. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.
16. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.

A4. [LTC] Tweed Coast Enduro 7 March 2020

That the proposed Tweed Coast Enduro on 7 March 2020 be supported, subject to:

1. NSW Police approval being obtained.
2. Endorsement of the event by Bicycle/Triathlon NSW.
3. Conformance with a Traffic Management Plan and associated Traffic Control Plans implemented and controlled by Roads & Maritime Services accredited persons.
4. Community and affected business consultation addressing raised concerns including a letterbox drop to directly affected residents.
5. The event organiser notifies Tweed residents of the impact of their event by advertising in the Tweed Link at their expense a minimum of one week prior to the operational impacts taking effect. The advertising must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.
6. Consultation with bus and taxi operators and arrangements made for provision of services during conduct of the event.
7. Adequate public liability insurance being held by the event organiser.
8. All signage erected for the event to not cause a hazard for motorists or pedestrians and be removed immediately following the completion of the event.
9. Consultation with emergency services and any identified issues addressed.
10. Arrangements made for private property access and egress affected by the event.
11. That the applicant organise for the event to be listed on Council's Calendar of Events web page. Go to www.tweed.nsw.gov.au and select Our Community/Festivals Events and Filming/Calendar of Events and access the Calendar of Events site to upload the event details.
12. The submission and approval of a Community Event application/Major Event application and compliance with any conditions imposed therein.

13. The event be conducted and signposted (where applicable this supersedes signposting in accordance with RMS Guide to Traffic Control at Worksites) in accordance with the current RMS Guidelines for Bicycle Road Races to ensure consistency across the network.
14. A report be provided to Council, by the event organiser, within 2 weeks of conduct of the event, showing compliance with the above conditions.
15. The event organiser is to ensure that any proposed roads or pathways used for the event have been assessed and are fit for purpose.

A5. [LTC] Coral Street, Tweed Heads

The Chairperson requested that this item be placed on the Schedule of Outstanding Resolutions.

A6. [LTC] Kennedy Drive, Norman Street, Tweed Heads

That:

1. A Safer Roads Nomination be submitted generally in accordance with Option 1, being the installation of right turn lanes into Norman Street and into the Boat Ramp, minor kerb realignment, pedestrian refuge and formalising the ingress/egress for Boat Ramp access.
2. The concept design be referred back to the Committee for comment.

A7. [LTC] Pacific Drive and Terranora Road, Banora Point

That subject to the advice of Roads and Maritime Services and New South Wales Police as per the RMS 'A guide to the delegation to councils for the regulation of traffic' Version 1.3 issued March 2009:

1. A 15m 'No Stopping' line be installed on Terranora Road, Banora Point, east of the Pacific Drive intersection.
2. Adjacent residents/businesses be advised that Council's rangers may issue infringements to vehicles parked within 3m of the double centre lines.

A8. [LTC] Wharf Street, Tweed Heads - Bus Zone

That the southbound bus zone adjacent to Tweed Mall, Wharf Street, be extended south of the pedestrian crossing and replace the six public parking spaces. The zone should be used for terminating services only.

COUNCIL IMPLICATIONS:

a. Policy:

Code of Meeting Practice v2.6.

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:

Nil.

CONFIDENTIAL ITEMS FOR CONSIDERATION

REPORTS THROUGH THE GENERAL MANAGER IN COMMITTEE

REPORTS FROM THE DIRECTOR PLANNING AND REGULATION IN COMMITTEE

C1 [PR-CM] Unauthorised Works Within Crown Road Reserve, Zara Road, Limpinwood

REASON FOR CONFIDENTIALITY:

This report is confidential as it contains legal advice and is subject to current legal action.

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



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**

C2 [PR-CM] Proposed Lease from Hy-Tec Industries (Queensland) Pty Ltd of Part Lot 2 DP 609986 No.36 Pollards Road, Dulguigan for Operation of an Animal Boarding Facility and Ancillary Animal Pound

REASON FOR CONFIDENTIALITY:

This report is confidential as it contains commercial information.

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: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

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
- 2.2.1 Animal Management - To provide effective and responsible care, management and public education for companion animals such as pet dogs and cats.

ROLE: **Provider**

REPORTS FROM THE DIRECTOR SUSTAINABLE COMMUNITIES AND ENVIRONMENT IN COMMITTEE

C3 [SCE-CM] RFO2019029 Supply of Project Officer Services

REASON FOR CONFIDENTIALITY:

Contents of this report could give prospective negotiation candidates an advantage when submitting a new bid.

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: -

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret.

mhm



Leaving a Legacy
Looking out for future generations

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

- 1 Leaving a Legacy
- 1.1 Natural Resource Management
- 1.1.1 Biodiversity Management - To protect and manage the environment and natural beauty of the Tweed for current and future generations.

ROLE: **Provider**
