



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 5 December 2019**

held at
**Harvard Room, Tweed Heads Administration Building,
Brett Street, Tweed Heads**
commencing at 5.30pm

Principles for Local Government

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

Guiding Principles for Tweed Shire Council

(1) Exercise of functions generally

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

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

(2) Decision-making

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

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

(3) Community participation

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

Items for Consideration of Council:

ITEM	PRECIS	PAGE
34	LATE [MM-CM] Mayoral Minute - Licences for Commercial Water Bottling Facilities and Bulk Water Extraction	5

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LATE MAYORAL MINUTE

34 LATE [MM-CM] Mayoral Minute - Licences for Commercial Water Bottling Facilities and Bulk Water Extraction

SUBMITTED BY: Cr K Milne, Mayor

mhm



Making decisions with you

We're in this together

LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK:

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

ROLE: **Leader**

SUMMARY OF REPORT:

I, Cr Milne move that:

Council writes to NSW Minister for Water, Melinda Pavey, to request that all licences for commercial water bottling facilities and bulk water extraction be temporarily suspended in accordance with the provisions of the Water Sharing Plan for the Tweed River Area Unregulated and Alluvial Water Sources 2010 and section 324 of the Water Management Act 2000, due to the extreme drought conditions causing significant hardship for the community and environment with low / no flows in the Tweed Shire waterways.

RECOMMENDATION:

That Council writes to NSW Minister for Water, Melinda Pavey, to request that all licences for commercial water bottling facilities and bulk water extraction be temporarily suspended in accordance with the provisions of the Water Sharing Plan for the Tweed River Area Unregulated and Alluvial Water Sources 2010 and section 324 Water Management Act 2000, due to the extreme drought conditions causing significant hardship for the community and environment with low / no flows in the Tweed Shire waterways.

REPORT:

Background

1. Nearly all of the Tweed Shire waterways are currently experiencing no or very low flow conditions.
2. NSW Water records show that all rivers and streams in Tweed Shire (except Uki due to releases from the Clarrie Hall Dam) are below 20% flow.
3. The extensive fires in the south west of our Shire are further adding to the water crisis.
4. Many of Tweed's rural residents and farmers who rely on water supply from the rivers and streams as their sole water source are now without access to this water as most of Tweed's waterways have run completely dry.

Adding to this dire situation is a significant backlog for delivery of water tanks for these people. For those who have water tanks there is also a significant wait for water delivery as water carters are inundated with requests.

5. The Tweed Valley Wildlife Carers are stretched beyond their limits caring for starving and dehydrated wildlife due to the drought conditions.
6. **WATER MANAGEMENT ACT 2000 - SECT 324**

Temporary water restrictions

324 Temporary water restrictions

- (1) If satisfied that it is necessary to do so in the public interest (such as (but not limited to) to cope with a water shortage, threat to public health or safety or to manage water for environmental purposes), the Minister may, by order in writing, direct that, for a specified period, the taking of water from a specified water source is prohibited, or is subject to specified restrictions, as the case requires.
- (2) If satisfied that it is necessary to do so -
 - (a) to maintain or protect water levels in an aquifer, or
 - (b) to maintain, protect or improve the quality of water in an aquifer, or
 - (c) to prevent land subsidence or compaction in an aquifer, or
 - (d) to protect groundwater-dependent ecosystems, or
 - (e) to maintain pressure, or to ensure pressure recovery, in an aquifer,

the Minister may, by order in writing, direct that, within a specified area and for a specified period, the taking of water from that aquifer, or from any other aquifer that is above, below or adjacent to that aquifer, is prohibited, or is subject to specified restrictions, as the case requires.

- (3) The Minister must cause a copy of an order under this section to be published in the Gazette and notice of the order to be published in the authorised manner.
- (4) If satisfied that circumstances require publication of an order under subsection (1) or (2) sooner than can be achieved under subsection (3), the Minister may, prior to its publication under that subsection, cause notice of the order to be

- broadcast by a television or radio station transmitting to the part or parts of the State within which the water source is situated.
- (5) An order under this section takes effect when it is first published or broadcast in accordance with subsection (3) or (4), as the case may be, or at such later date or time as may be specified in the order.
 - (6) Unless sooner repealed, an order under this section ceases to have effect on the expiry of the period specified in the order.
 - (7) In the event of any inconsistency between an order under this section and any other provision of this Act relating to the distribution, sharing or taking of water (including any order made, or any condition imposed on an access licence or approval, under this Act), the order under this section prevails to the extent of the inconsistency.
 - (8) Nothing in this section gives rise to a claim for compensation under Division 9 of Part 2 of Chapter 3.

UNDER SEPARATE COVER/FURTHER INFORMATION:

Nil.

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