

**TWEED SHIRE COUNCIL PLAN
OUTSTANDING COUNCIL RESOLUTIONS**

Goal	Details	Update
Council Resolutions to be reported through the Business Paper		<i>No updates recorded</i>
→ 2016.09.15 C1 [GM-CM] Murwillumbah Railway Station	That Council: <ol style="list-style-type: none"> 1. Authorises the General Manager to enter into lease negotiations for the Murwillumbah Railway Station. 2. A report be bought back to a future Council meeting which includes the terms and conditions of the future potential lease. 	A report on future lease options will be considered more broadly as part of the Rail Trail project in accordance with the business case presented to the State and Commonwealth Governments which identified the need for complimentary tenancy of the Rail Trail to contribute to the ongoing maintenance of the infrastructure. A Heritage Application Grant has been submitted on 8 February 2019 to undertake works on the Murwillumbah Railway Station site. The heritage grant application was unsuccessful.
→ 2018.03.01 C2 [PR-CM] Unauthorised Works within Crown Road Reserve, Zara Road, Limpinwood	<p>REASON FOR CONFIDENTIALITY: This is subject to current legal investigations.</p> <p>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: -</p> <ol style="list-style-type: none"> 1. <i>advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.</i> <p>C 9 That Council, in respect of the current legal investigations relating to the unauthorised works within the Crown Road at Zara Road Limpinwood:</p> <ol style="list-style-type: none"> 1. 4. Council seeks further advice in regard to whether it is appropriate to issue a Notice of Intention to cease using the Crown Road Reserve. 	At its meeting of 1 August 2009, Council resolved the following: <i>"THAT Council, in respect of the current compliance matter with Mr John Fish resolves it wishes to continue with the terms of an agreement with Mr Fish relating to rectifying unauthorised works on Crown Road, off Zara Road Limpinwood:</i> <ol style="list-style-type: none"> 1. <i>Endorses and grants delegation to The Mayor, Councillor Katie Milne, Councillor Polglase and the General Manager to seek a meeting with Mr Fish and his representatives to negotiate a revised agreement on the next steps of this process, and related prosecution action in the Land and Environment Court."</i> A meeting was subsequently held at Council on 20 August 2019, and following a request made by Council's solicitors, the Land and Environment Court approved a further 6 month deferral of the current prosecution actions, and the terms of a corresponding revised agreement between Council and Mr Fish have been agreed to. Council is currently awaiting the lodgement of a development application by the owner in order to advance Council's resolved position. In the last month, Crown Lands has been in dialogue with Mr Fish.
→ 2018.03.22 12 [NOM] Policy for Variations to Council's Planning Controls	<p>RESOLVED that Council brings forward a report on amending the Tweed and Tweed City Local Environmental Plan and Development Control Plan, with a view to enhancing sustainability outcomes such as living walls, green roofs, blue green infrastructure, greenhouse gas emissions, waste, composting, community gardens, etc., in accordance with the Paris Agreement targets.</p>	At its meeting of 5 September 2019 Council resolved to endorse the priorities for the 2019/20 Strategic Planning and Urban Design Work Program. This project was not a priority, and any future advancement of this project will be dependent on the availability of Council resources.

→ 2018.05.17 12 [NOM] Landscaping - South Tweed	RESOLVED that Council undertakes low key landscaping improvements to Minjungbal Drive and brings forward a report on enhanced landscaping planning controls in the South Tweed locality.	At its meeting of 5 September 2019 Council resolved to endorse the priorities for the 2019/20 Strategic Planning and Urban Design Work Program. This project was not a priority, and any future advancement of this project will be dependent on the availability of Council resources.
→ 2018.05.17 15 [NOM] Options for Improved Land Management	RESOLVED that: 1. Council officers bring back a report on options for securing land that would be suitable as offset stewardship sites under the Biodiversity Offset Scheme and how this could be funded and managed. 2. In the interim, the Mayor writes to the Local State Members for Lismore and Tweed Heads seeking State consideration for the acquisition of sites that have high biodiversity values for the addition to the National Park Estate and provide examples of such to the State Member.	The new consultant has commenced to complete the report on a regional approach to biodiversity offsetting. Presentation of the Draft report is expected at the September NRJO meeting. On 4 November 2019, the Mayor wrote in response to a request from the Minister for Energy and Environment, Matt Keane, providing options for consideration.
→ 2018.06.21 11 [PR-CM] Preparing a Scenic Landscape Strategy with Community and Stakeholders, Related Draft Council Policy and DCP Amendment	RESOLVED that Council endorse: 1. The Draft Scenic Landscape Strategy be publicly exhibited for a period not less than 60 days during which community and stakeholder engagement is to be conducted to assist staff with the trial and testing of the Strategy; 2. The Scenic Landscape Policy is to be concurrently exhibited with the Strategy for a period not less than 60 days; and, 3. The proposed amendment of <i>Tweed Development Control Plan 2008</i> shall be publicly exhibited so as to comply with Clause 18 of the <i>Environmental Planning and Assessment Regulation 2000</i> but for a period not less than 60 days. 4. A further report be submitted to Council detailing the findings of the public exhibition and engagement for these three policies and any amendments considered appropriate.	Public exhibition of the SLS Policy Statement, Strategy and draft DCP concluded in June 2019. Council determined in its endorsement of the SPUD Work Program 2019/20 that the Fingal and Chinderah Locality Plan processes should take more immediate priority in the second half of 2019. A report on the SLS consultation and submissions will follow in early 2020.
→ 2018.08.16 06 [NOM] Environmental Land Purchases	RESOLVED that a report be brought forward on the potential for Council to purchase significant environmental areas for the purposes of appropriate rezoning and resale.	Bond University Research Services have commenced the briefing paper and the capstone projects are currently being prepared and delivered. Council planning and environment staff contributed as members of a review panel, providing feedback on the initial concept designs on Thursday 17th October. Bond University capstone students are currently reviewing and amending their case studies after feedback from council officers. The final findings will be presented in mid-December 2019. The white paper investigating the function and operation of land trusts, with recommendations regarding council's potential involvement will be finalised and delivered to council by February 2020.
→ 2018.08.16 15 [PR-CM] Affordable Housing Context and Options Paper	RESOLVED that Council: 6. A further report be brought back to Council following the exhibition of the draft policy statement.	At its meeting of 5 September 2019 Council resolved to endorse the priorities for the 2019/20 Strategic Planning and Urban Design Work Program. This project was not a priority, and any future advancement of this project will be dependent on the availability of Council resources.

REASON FOR CONFIDENTIALITY:

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: -

1. *advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

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That:

1. Council defers this item to seek the following further investigations and provide updated advice including on:
 - (a) the North East Forest Alliance Audit report,
 - (b) previous complaints to Council from the neighbours in the immediate vicinity,
 - (c) further investigation of the recent activities in question and the history of logging on the property including:
 - (i) interviews with the neighbouring complainants,
 - (ii) more detailed historical aerial imagery if available,
 - (iii) other relevant documents that may practically assist in establishing the extent of historical logging on the property, such as tax and transaction records of the parties involved including the transport and receiving parties.
 - (iv) other relevant documents that may practically assist in establishing the extent of the recent level of logging activity in question on the property, such as tax and transaction records of the parties involved including the transport and receiving parties.
2. A further report be brought back to Council once these additional investigations and advice have been completed.

RESOLVED that Council refers the proposed amendments to the Destination Management Plan to Destination Tweed and Tweed Experiences Network for feedback and brings back a report to Council for further consideration.

At its meeting of 1 August 2009, Council resolved the following:

"THAT Council, in respect of the current compliance matter with Mr John Fish resolves it wishes to continue with the terms of an agreement with Mr Fish relating to rectifying unauthorised works on Crown Road, off Zara Road Limpinwood:

1. *Endorses and grants delegation to The Mayor, Councillor Katie Milne, Councillor Polglase and the General Manager to seek a meeting with Mr Fish and his representatives to negotiate a revised agreement on the next steps of this process, and related prosecution action in the Land and Environment Court."*

A meeting was subsequently held at Council on 20 August 2019, and following a request made by Council's solicitors, the Land and Environment Court approved a further 6 month deferral of the current prosecution actions, and the terms of a corresponding revised agreement between Council and Mr Fish have been agreed to. Council is currently awaiting the lodgement of a development application by the owner in order to advance Council's resolved position.

In the last month, Crown Lands has been in dialogue with Mr Fish.

The final Destination Management Plan (DMP) has been received by Council. A Council report was presented to the 19 September 2019 meeting. The version of the DMP presented to Council is a content version pending final graphic layout and branding review. Council deferred the consideration of the DMP until 3 October 2019 meeting.

→ 2019.03.21 A4 [MM-CM] Draft Rural Land Strategy Review

Superseded by resolution of 5 September 2019.

1. The development of the draft Strategy be suspended for a period to enable it to be reviewed and represented with plain English and after a more inclusive stakeholder engagement.
2. Expressions of Interest are called for a project reference group from a broad section of community stakeholders to review the draft strategy and to also include the Department of Primary Industries, Councillors, and Council staff from relevant areas of planning, Sustainable Agriculture, natural resource management and the communications unit.
3. The process of review should be assisted by an independent facilitator to ensure that the information is presented clearly and concisely in plain English and feedback is captured.
4. The strategy should articulate opportunities for the current community of rural land holders as well as a vision for farming and rural land management into the future.
5. The Department of Primary Industries be requested to provide advice on the short, medium and long term (50+ years) challenges and opportunities for agriculture in the Tweed in regard to Climate Change.

→ 2019.04.17 11 [PR-CM] Helipads and Heliports - Management of Noise

Deferred for a workshop to discuss key issues surround assessment & regulation of noise associated with helipads and heliports.

Report being prepared for December 2019 meeting.

→ 2019.06.20 19 [CNR-CM] Wyuna Road Community Land Foreshore Management

RESOLVED that this item be deferred for a further Workshop between Councillors, staff and the residents of Wyuna Road.

The Council workshop with residents was held on 12 September with a Council report to be forwarded to the December meeting following staff consideration of funding options for ongoing maintenance of any works.

→ 2019.08.15 29 [SCE-CM] Koala Beach Wildlife and Habitat Management Committee

RESOLVED that:

1. This report be deferred until a further in depth engagement with the community is undertaken;
2. A community engagement officer is allocated the role of managing the process.

A community engagement plan is in development with a Koala Beach resident information event to be held before the end of the year.

A Koala Beach community event has been organised for Saturday, 30 November 2019 to allow councillors and the community to attend, as well as key staff.

→ 2019.09.05 PC 05 [PR-PC] Rural Land Strategy - Response to Public Exhibition and Final Draft for Adoption

RECOMMENDED that this item be deferred for a facilitated Workshop to discuss the draft Rural Land Strategy as attached to this report as previously resolved at the Council meeting of 15 August 2019 (ie., comprising a maximum of three representatives from each of the Combined Tweed Rural Industries Association, Tweed Rural Sustainable Alliance and Tweed Canegrowers Association to discuss the way forward with the Rural Land Strategy) and that in addition Council also invites the Department of Planning, Industry and Environment, the Department of Primary Industries and 3 representatives from the Tweed Fruit and Vegetable Growers Association.

At its meeting of 5 September 2019 Council resolved the following:

That this item be deferred for a facilitated Workshop to discuss the draft Rural Land Strategy as attached to this report as previously resolved at the Council meeting of 15 August 2019 (ie., comprising a maximum of three representatives from each of the Combined Tweed Rural Industries Association, Tweed Rural Sustainable Alliance and Tweed Canegrowers Association to discuss the way forward with the Rural Land Strategy) and that in addition Council also invites the Department of Planning, Industry and Environment, the Department of Primary Industries and 3 representatives from the Tweed Fruit and Vegetable Growers Association.

The General Manager has since written to the NSW Department of Planning, Industry and Environment seeking available dates for their staff to attend a facilitated Workshop. The Department is still considering available dates.