

Minutes

Minutes of the Tweed Coast Waterways Committee Meeting held Wednesday 14 February 2024

Venue:

South Sea Islander Room, Tweed Civic Centre, Tweed Heads

Time:

9.00am

Present:

Cr Chris Cherry (Mayor), Cr Nola Firth, Peter Commerford, Lindy Smith, Larry Woodland, Joanna Gardener, David Cranwell, Rod McDonagh (NSW Maritime), Dan Ware (DP&E), Fletcher Mingramm (DPI), Rhonda James, Tom Alleston, Jordan Vickers, Nicole Skorupski (Minutes) (TSC),

Apologies:

Jane Lofthouse, Robert Quirk, Grahame McIlveen, Adam Andrewartha, Scott Benitez Hetherington, Eli Szandala, Sam Dawson

Minutes of Previous Meeting:

Moved: David Cranwell

Seconded: Joanna Gardener

RESOLVED that the Minutes of the Tweed Coast Waterways Committee meeting held Wednesday 13 December 2023 be accepted as a true and accurate record of the proceedings of that meeting.

Business Arising:

BA1. Tom to obtain private email address for Carl Cormack for letter of thanks for his contribution to the Waterways committee (GB2 from previous meeting).

No further business arising from previous minutes.

Agenda Items:

A1.TSC project updates

Jordy provided the following updates on projects -

- **Hastings Point Headland Management Plan**

Jordy - progressing with the Hastings Point Headland Management Plan:

- has completed community engagement for initial stage,
- currently the consultant is working to complete a draft management plan,
- have a meeting this afternoon with Council traffic team,
- aiming for draft plan in April, to go on public exhibition.

Lindy asked if comments on seasonal primitive camping were received. Jordy advised response was 50/50 in favour or not. Cr Firth asked if local people were in favour, consensus is that a lot of campers are local. Jordy discussed issues and how these could be managed.

Lindy suggested educational signage highlighting the importance of the natural environment.

Tom noted that the whole headland is mapped in the zone of Aboriginal cultural heritage, which will impact all potential disturbance of the ground.

In relation to parking issues Jordy advised that there are ongoing discussions with the consultant on line-marking methods to lessen congestion during peak demand. Another option was to utilise spare land at the base of the headland for parking, with additional trees for shade.

Joanna suggested additional trees and shade using pandanus along path on northern end of headland.

- **Coastal Management Program**

Currently on stage two – consultant undertaking a coastal hazards assessment.

Concurrent to this Jordy has been compiling a community engagement outcomes report.

Overwhelming response was people use our coastal areas for the natural environment, people want to see environmental protection, people value the coastal buffer and want to see it protected and maintained into the future. Community engagement summary will be available at the start of March on Your Say Tweed.

Mayor Cherry asked whether coastal hazard lines had changed. Jordy advised coastal hazard lines were updated in 2014, and the current CMP in development includes new hazard assessments. Erosion hazard lines may not change dramatically as we have a relatively stable coastline thanks to vegetation buffers and seawalls (where necessary). However, potential future climate scenarios may drive some change to the hazard risks.

- **Commercial vessel use of waterways policy development**

In response to an action in the Tweed River CMP, Tom and Jordy are working on a policy on how commercial motorised vessel businesses can use the river and TSC boating facilities.

Council has received several enquiries from people wanting to use our pontoons for commercial purposes, however we have a license over our structures from Crown Lands for public use, and not commercial purposes.

It has been determined that the best way forward is for Council hold consent for use (river and several facilities), and then license commercial operators for the use.

Cr Firth suggested incorporating environmental conditions, such as not feeding birds, cleaning environment, etc. Jordy advised that the policy would ensure that the objectives of the CMP are upheld, looking at low impact and high impact uses, to protect the waterway and other users.

Peter asked if there would be industry stakeholder consultation. Tom confirmed that staff would meet with Peter (as commercial boating representative on the Committee) in the first instance to confirm the broad policy framework. Peter would assist to identify other stakeholders for further consultation. When drafted the policy will go on public exhibition.

Joanna asked how many businesses are currently running. Peter estimated about 30.

Rod noted that enforcement and compliance will be hard to manage. Advised that safety issues are key, and that we are already at capacity on our waterways. There are additional issues for NSW Maritime around authorisation, and different procedures and licenses.

Peter mentioned a code of conduct for Cook Island Marine Reserve that has been developed in conjunction with the dive industry. With the imminent release of that document Peter was requested to bring it to the next meeting.

2. Report back from Cobaki inspection

Tom, Lindy, Dan, Rhonda and Jonathan inspected the wetlands adjacent to the Cobaki Broadwater, accessed from the Tweed Heads Pony Club in November 2023.

Tom presented photos from the inspection; including shots of small pools characteristic of wallum frog breeding, crab holes, tidal water coming out of drain (with pH neutral), salt marsh, mud flats, mangroves, juncus and the airport infrastructure. A small area of mangrove pneumatophore die back was observed, as well as signs of small-scale mangrove trimming.

Tom noted that based on visual inspection, notwithstanding the massive industrial development and loss of wetland habitat as a result of these projects, the remaining environment looked relatively normal at the time of inspection.

Lindy noted that she had observed long-term environmental decline and accumulating hazard for this area, based on the airport and industrial land expansion and issues with the tunnel, particularly low pH groundwater. Mayor Cherry advised that the area is identified for potential future development as part of the TSC Growth Management Plan (see further discussion below).

Tom noted that within the responsibilities of his Council role, he is not able to address these broader issues. Action needs to come from higher levels of government, and those with authority within the regulatory framework. Lindy agreed with Tom and that it is a Federal matter, and she is looking at opportunities to expand her enquiry.

3. River training wall – Jack Evans Boat Harbour

Mayor Cherry noted that the training wall across Jack Evans Boat Harbour (JEBH) has subsided over the years and is currently being overtopped at high water levels, contributing to erosion and loss of trees within the Harbour.

Tom advised that he has been liaising with NSW Crown Lands and relayed response (email from David Kirby) in relation to JEBH. The Department is going through a process of assessing waterway structures within NSW, and in summary, Crown Lands are not prepared to take ownership of the wall currently.

Regardless of the agency that will make repairs, an engineering assessment of the structure's current condition is required. Dan noted the Tweed Sand Bypass could have a part to play, and may have assessed the condition of the wall as part of its monitoring program. Dan to follow up.

Rod made contact with his office whilst discussing this point and was advised the JEBH wall is not on records under a license to NSW Maritime therefore it is still a Crown lands asset.

Mayor Cherry expressed concern that no one is accepting ownership at this time. Council would have no funds for an engineering assessment, or repair.

Recommendation:

That Council writes to NSW Crown Lands, highlighting the importance of the Jack Evans Boat Harbour training wall to foreshore stability and infrastructure within Tweed Heads, and its critical function in river navigation. Council requests that Crown Lands undertake all necessary engineering investigations into the condition, repair options and costs, and that works to repair the wall be funded and undertaken as a priority.

Moved – Peter Comerford
Second - Lindy Smith
All in favour.

4. Application to the Urban catchment grant program

Tom provided an update on an application made to the Commonwealth Government Urban Rivers and Catchment Program. The application for foreshore rehabilitation includes multiple sites within the Terranora Broadwater, and totals \$1.4M.

Application includes 7 project sites and restoration of 71ha of native vegetation.

Tom spoke about one site at Chinderah and presented photos highlighting past stabilisation of erosion with construction waste.

Outstanding Items:

- Cobaki Lakes Saltmarsh Rehabilitation – no update.

General Business:

GB1 - Tweed River Floodplain – Robert Quirk requested to speak about this, in his absence this item will be deferred to the next meeting.

GB2 - Oxley Cove – Tom highlighted the problem of debris entrapment in Oxley Cove canal estate after each flood, emphasising the amount of large debris. Due to the lack of access it is not possible to use large machinery within the canal beaches, so all debris is collected by TSC staff by hand.

The small flood in 2024 created an unprecedented amount of debris, and the whole year's canal management budget was expended during the clean-up. Tom presented photos of the debris after the last rain event. It was noted that this flood cleanup is never eligible for post disaster funding given that the canal is not classified as 'critical infrastructure' as per roads.

Mayor Cherry requested that these photos to be sent to her so that she can discuss the matter with Janelle Saffin MP, in her role as Parliamentary Secretary for Disaster Recovery.

Tom outlined a number of significant engineering constraints when questioned if a barrier can be placed at the entrance to prevent debris from entering. Tom also advised that an engineering investigation will be funded to determine if a practical/affordable solution exists.

GB3 - Growth Management Housing Strategy

Jordy provided a summary of the strategy, currently available on the Your Say Tweed site. Noted that the Cobaki area shown as potential development, and other areas also included, are flood prone or floodplain land subject to future tidal inundation.

The Committee discussed the areas earmarked for potential growth and queried future sea level rise in these areas. Mayor Cherry suggested a strongly worded response was needed from the Committee to present to strategic planning, including consideration of future tidal inundation.

Tom advised that the Coast and Waterways team is working on a policy response to sea level rise and tidal inundation but that it will be the end of this year before an approach is finalised. Implementation through a planning proposal to include Coastal Hazard (tidal inundation) maps into the Hazards and Resilience SEPP would result but also be a lengthy process.

Dan suggested that the existing tidal inundation mapping be submitted to the Growth Management Housing Strategy.

Rhonda advised it is important for all Committee members to highlight the strategy to their stakeholders and encourage submissions on behalf of their individual organisations.

Recommendation

That Council:

1. Use the tidal inundation mapping to inform the Growth Management Housing Strategy, and that areas affected by future tidal inundation and flooding be discounted from further consideration for future urban development within the strategy.
2. Notes the Tweed Coast and Waterways Advisory Committee's serious concerns in relation to environmental issues associated with a number of the areas identified for future urban development.

Moved – Larry Woodland

Second – Dan Ware

All in favour

Next Meeting:

The next meeting of the Tweed Coast and Waterways Advisory Committee will be held 10 April 2024.

The meeting closed at 12.05pm.

Joanna requested meetings alternate between Tweed Heads and Murwillumbah for those who have to travel. Options to hold the meeting in Murwillumbah are currently very limited.

EXECUTIVE LEADERSHIP TEAM'S COMMENTS:

3. River training wall - Jack Evans Boat Harbour

Nil.

GB3 - Growth Management Housing Strategy

Those recommendations need to be a consideration of PSA and Council in their finalisation of the GMHS.

EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:

3. River training wall - Jack Evans Boat Harbour

That Council writes to NSW Crown Lands, highlighting the importance of the Jack Evans Boat Harbour training wall to foreshore stability and infrastructure within Tweed Heads, and its critical function in river navigation. Council requests that Crown Lands undertake all necessary engineering investigations into the condition, repair options and costs, and that works to repair the wall be funded and undertaken as a priority.

GB3 - Growth Management Housing Strategy

That Council:

1. In its consideration of the GMHS has regard for the minutes of the Tweed Coast and Waterways Advisory Committee Meeting held Wednesday 14 February 2024 in regards to tidal inundation mapping.

2. Notes the Tweed Coast and Waterways Advisory Committee's serious concerns in relation to environmental issues associated with a number of the areas identified for future urban development.

COUNCIL MEETING RESOLUTION – 18 APRIL 2024:

RESOLVED that:

1. The minutes of the Tweed Coast Waterways Committee meeting held Wednesday 14 February 2024 be received.
2. Council notes the recommendations of the Tweed Coast Waterways Committee as follows:
 - i. That Council writes to NSW Crown Lands, highlighting the importance of the Jack Evans Boat Harbour training wall to foreshore stability and infrastructure within Tweed Heads, and its critical function in river navigation. Council requests that Crown Lands undertake all necessary engineering investigations into the condition, repair options and costs, and that works to repair the wall be funded and undertaken as a priority.
 - ii. That Council: Use the tidal inundation mapping to inform the Growth Management Housing Strategy, and that areas affected by future tidal inundation and flooding be discounted from further consideration for future urban development within the strategy.
 - iii. That Council notes the Tweed Coast and Waterways Advisory Committee's serious concerns in relation to environmental issues associated with a number of the areas identified for future urban development.
3. In response, Council writes to NSW Crown Lands, highlighting the importance of the Jack Evans Boat Harbour training wall to foreshore stability and infrastructure within Tweed Heads, and its critical function in river navigation. Council requests that Crown Lands undertake all necessary engineering investigations into the condition, repair options and costs, and that works to repair the wall be funded and undertaken as a priority.
4. In response to point 2ii) Council commits to using the tidal inundation mapping to inform the Growth Management Housing Strategy, and to giving serious consideration to areas affected by future tidal inundation and flooding being discounted from the Options being progressed for future urban development within the draft strategy.