

Minutes

Minutes of the Tweed Coast and Waterways Committee Meeting held Wednesday 9 December 2020

Venue:

Virtual meeting

Time:

9am

Present:

Mayor Chris Cherry; Cr Katie Milne; Rhonda James (Chair); David Cranwell; Jonathan Yantsch; Bill Hoskins; Tom Alletson; Marama Hopkins; Lindy Smith; Bruce Peate; Hamish Brace; Robert Quirk (arrived at 9.20am); Gabby Arthur (Minutes).

Apologies:

Jane Lofthouse; Peter Commerford; Bill Fenelon; John Harbison; Tracey Stinson; Ben Fitzgibbon; Carl Cormack; Ian Berger; Sam Dawson.

Minutes of Previous Meeting:

Moved: Chris Cherry

Seconded: David Cranwell

RESOLVED that the Minutes of the Tweed Coast and Waterways Committee meeting held Tuesday 13 October 2020 be accepted as a true and accurate record of the proceedings of that meeting.

Acknowledgement of Country.

Business Arising:

BA1. Pottsville Community Association

David Cranwell advised that Pottsville Community Association has not received a reply from Council to its submission.

Action: *Waterways Program Leader to investigate and arrange to forward a copy of Council's letter to Pottsville Community Association.*

Update: On checking it was found that the submission from the Pottsville Community Association had come to Council from Geoff Provest's office. As such the reply was sent to Geoff's office, with a note that it could be passed on to the Association. David Cranwell has been advised.

BA2. Ecological Assessment for Christies Creek

Tom advised that discussions were continuing with a landowner on the possibility of acid sulfate soil remediation, but that no further action was required from the committee on this item.

BA3. McLeod's Creek – Coastal Management SEPP mapping

Tom advised that McLeod's Creek has been mapped as an Environmental Area under the Coastal Management SEPP. As it is the only floodplain drain that has been mapped 'Environmental Area', an action will be included in the Estuary Management Plan to

investigate the reason for the mapping and whether there is an anomaly in the Coastal Management SEPP mapping. In the event it is an anomaly, a planning process can be initiated for the SEPP mapping designation to be 'coastal use area' which would make it consistent with other flood plain drains in agricultural land. Robert Quirk declared an interest in this item.

Agenda Items:

A1. Tweed Estuary Coastal Management Program update

Tom advised that comments have been received from Environment Energy Science group. The comments do not relate to the content of the Tweed Estuary Coastal Management Program but rather are editorial and will strengthen it legally. The appendices will be removed from the Plan and called 'supporting documents' which will enable the Plan to stand-alone. The Tweed Estuary CMP will be finalised by Hydrosphere Consulting by the end of January and distributed to the committee. The committee agree that Tom should continue working with Hydrosphere to finalise the Plan and will consider, at the 10 February committee meeting, a recommendation to Council for adoption.

A2. Tweed Coastline Coastal Management Program update

The next stage of the Tweed Coastline Coastal Management Program is the sub-study which involves updating the coastal hazard lines, coastal cliff instability, and assessment of tidal inundation and sea level rise on the coast and estuaries.

Council is working with colleagues at Byron Shire Council to determine if previous shared work can be repeated. The joint project would cover the coast from Byron Bay through to Kingscliff or Duranbah as one unit of coastal hazard mapping. The tender for the coastal cliff instability study is to be advertised in the New Year.

Jane will be meeting with colleagues at Byron Shire Council and a report will be provided to the February meeting.

A3. Hastings Point Headland Management Plan

Following enthusiastic discussion at the last meeting, Tom has prepared a presentation of his work to date and considerations, which he shared with the committee. That work confirms the need for a Hastings Point Headland Plan of Management. The Plan would support and provide greater stature and implementation of the Aboriginal Cultural Heritage Management Plan (ACHMP). Tom advised he will email a copy of the ACHMP to the committee following the meeting.

The land identified for the management plan is a combination of Crown Land and Council Managed Crown Land and includes the Rocky Foreshore Reserve. It was noted that L.8.2 of the Open Space Strategy includes the development and implementation of a Hastings Point Headland Plan of Management.

The committee requested that under the 'Issues to be addressed', the rock platform item will 'include management and all marine organisms'.

Discussions have been held to consider whether a 'Management Plan' or 'Plan of Management' (a more formal process under the Crown Land Management Act) is required. Advice is that a 'Management Plan' is more appropriate, which means Council can manage the process with more flexibility, and it could be adopted by Council as a policy, or could be

adopted as an action within the Tweed Coastline-Coastal Management Program. It was noted that preparation of a management plan for the headland would be a lengthy process with significant resourcing requirements.

Moved: Lindy Smith

Seconded: Cr Katie Milne

RECOMMENDATION:

That Council:

1. commits to preparing a Hastings Point Management Plan and that it be incorporated into the Tweed Coastline Coastal Management program.
2. requests the Sustainability & Environment Unit to prepare draft Terms of Reference and cost estimate to complete the works.

Action: *Waterways Program Leader to email the Aboriginal Cultural Heritage Management Plan (ACHMP) to the committee.*

A4. Fingal Headland Access and Erosion Management

The Fingal Head Master Plan has been funded by Tweed Holiday Parks and commissioned by Fingal Head Dunecare. This area is of high Aboriginal cultural significance and it is difficult to manage the restoration without ground disturbance. The draft report is not a public document so can't be shared with the committee at this stage.

Rhonda advised she has had some involvement with this project. The group has received two grants to commence works on the paths and is consulting with Tweed Byron Local Aboriginal Land Council (TBLALC) for approval to undertake works. A Cultural Heritage Consultant will also be preparing a document for inclusion in the report.

Mayor Cherry confirmed the approval process is difficult and it may be best for Crown Lands to issue the approval and for Council to manage it.

Moved: Robert Quirk

Seconded: David Cranwell

RECOMMENDATION:

That Council notes, in relation to the Fingal Headland Access and Erosion Management project, that the Tweed Coast & Waterways Committee:

1. Is aware of and endorses the project.
2. Recommends that Council considers the project for funding opportunities.
3. Supports Council working with the Aboriginal community and Crown Lands regarding the approval and implementation process.

A5. Tweed Waterways Report 2020

Tom advised that the Tweed Waterways Report 2020 has been included in the Tweed Link this week. The report card is a community engagement tool and its purpose is to create interest rather than provide a rigorous report on waterway health. A detailed analysis over five years of data was undertaken in 2017 for the Estuary Management Plan. Ideally this style of intensive scientific analysis would be undertaken periodically.

Hamish noted that, in the River Health Report, Tweed Landcare Inc has not been accredited for its work on riparian health of the waterways along with the fisheries group. Hamish requested that Tweed Landcare be recognised.

The Cobaki Terranora Broadwater received another 'D' water quality rating as a result of degradation of those catchments. The Waterways Program is working to attract more River Health Grant participants for riparian projects in the Cobaki, Bilambil, Duroby and Piggabeen Creeks.

Cr Milne requested that Tom look into legislation regarding water pollution and in particular the recent case relating to water pollution from Council's quarry.

Action: *Waterways Program Leader to research legislation regarding water pollution and in particular the recent case relating to water pollution from Council's quarry.*

A6. Presentation from Kingscliff Residents on Cudgen Creek Boat Ramp safety concerns (Kingscliff Ratepayers and Progress Association) – Gaida Macs

Gaida advised that the Kingscliff Ratepayers & Progress Association has received many representations regarding safety at the Cudgen Creek boat ramp. These safety concerns are due to the significant escalation in the number of people using Cudgen Creek for swimming, boating and passive water-sports, particularly over the past 12 months. The main entry point to Cudgen Creek is the boat ramp at the end of Marine Parade, Kingscliff. The Association wishes to bring these concerns to the committee's attention and to seek support to form a working group to review the situation, measure usage and come up with options that will work, are safe and not too costly.

Bruce Peate advised that the public are using the boat ramp for recreational purposes including sitting on the ramp making it difficult for boat tailers to be reversed down the ramp.

Tom acknowledged that the boat ramp at Cudgen Creek is a Council asset and Council is responsible for the safety and minimisation of conflict between its users. There is a sign at the boat ramp stating that pedestrians must give way to boat craft. A small working group was formed a number of years ago but nothing was resolved. Suggestions of a new boat ramp facility on the opposite side of the creek are not a practical or feasible option. It is the opinion of staff that an additional access ramp or pontoon into the water at this location will not resolve the issues. The difficulty is there isn't a separate swimming and boating area, and a large number of people swim in the creek at high tide. It is a constrained space and access to the creek is typically at the boat ramp due to the rock revetment between the mouth of the creek and Ed Parker Rotary Park.

The committee supported forming a working group comprising: Mayor Cherry or Cr Milne and relevant Tweed Shire Council officers, Kingscliff Ratepayers & Progress Association, Waterways, Roads & Maritime Services Strategic Officer, Fishing Club and members from the Tweed Coast & Waterways Committee. Tom advised he would pass on the details of interested parties to Gaida.

Moved: Cr Katie Milne

Seconded: Lindy Smith

RESOLVED that the Tweed Coast and Waterways Committee supports the forming of a Cudgen Creek Boat Ramp Working Group, and the group provides a report back to Council.

Action: *Waterways Program Leader to collate details of members interested in participating in the Cudgen Creek Boat Ramp Working Group and pass them on to the Kingscliff Ratepayers & Progress Association.*

Outstanding Items:

OM1. Gold Coast Airport Ecological Monitoring

Tom advised that this item is still outstanding. Tom has made a formal request to the Gold Coast Airport's Environmental Officer for a number of monitoring reports. The officer is still awaiting clearance from management to release the reports. Lindy noted that the Airport is meant to release annual reports on the status of vegetation however despite undertakings, none have been released since 2017.

General Business:

GB1. Dulguigan Quarry, enquiry from Lindy Smith

Lindy enquired about the release of water from Dulguigan Quarry which occurred during high rainfall in February 2020 and resulted in an EPA prosecution. The water results were low pH and Lindy asked if it could have been a contributor to the fish-kill in the Tweed River in January 2020. Tom advised that he had been unaware of the event but found a media release on the EPA website. Tom read out the EPA Statement dated 13 November 2020 which confirmed that Hytec Industries were fined \$15,000. Tom advised he followed up with the EPA requesting further information regarding the pH of the water and volume of water that was released. He has received an acknowledgement but is yet to hear back from the EPA officer.

The fish-kill in the Tweed River was in mid-January between Murwillumbah and Condong. There were no reports of fish-kills in Rous River in January or February 2020. There is no evidence the fish-kill was a result of the release of the water from Dulguigan Quarry. Tom advised that he will ask for clarification that the site has been remediated when he hears back from the EPA.

Action: *Waterways Program Leader to seek clarification from EPA as to whether the Dulguigan Quarry site has been remediated following the release of water during high rainfall in February 2020.*

Update: Geoff Cramb from the EPA contacted Tom regarding this matter. Geoff was not able to give a lot of precise detail, this is due to the matter still being within the scope of legal proceedings. However, he was willing to give a general verbal view that it was highly unlikely that the runoff and matter under consideration could have had a significant impact on water quality within the river at the time of the incident.

GB2. Mooball Creek

David enquired about the removal of sand in event of Mooball Creek closing up. Tom advised that Council had received comments on its draft entrance opening plan from both DPIE Environment, Energy, Science and Fisheries. The entrance opening plan is still being developed.

GB3. Cobaki seagrass / saltmarsh

Cr Milne enquired whether the saltmarsh which had been inundated at Cobaki Lakes has been remediated. Marama advised it has taken 8 years for the Management Plan to be

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approved and that whilst there has been some monitoring work undertaken, no remediation work has been completed and discussions between the parties is ongoing.

Moved: Lindy Smith

Seconded: David Cranwell

RECOMMENDATION:

That Council sends a letter to DPIE regarding the Cobaki Saltmarsh, requesting an update, expressing its concern and interest due to the water quality, and seeking an expedited resolution.

GB4. 2021 Meeting dates

Tom advised that an email will be sent to all members with the details of the 2021 meeting dates before the end of the year.

Action: *Sustainability & Environment Administrative Officer to email 2021 meetings dates to the Tweed Coast & Waterways Committee members.*

Next Meeting:

The next meeting of the Tweed Coast and Waterways Committee will be held Wednesday 10 February 2021.

The meeting closed at 12pm.

EXECUTIVE LEADERSHIP TEAM'S COMMENTS:

EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS: