

# Minutes

Minutes of the Tweed Coast and Waterways Advisory Committee Meeting held Wednesday 12 February 2025

**Venue:**

South Sea Islander Room, Tweed Head Administration Office

**Time:**

9.00am

**Present:**

Mayor Chris Cherry, Councillor Nola Firth, Lindy Smith, Rhonda James (chair), David Brown, Dan Ware, David Cranwell, Fletcher Mingramm, Rod McDonagh, Tom Bowling (departure 10.30am), Sam Dawson, Robert Gee, Joanna Gardner, Robert Hawken, Brett Ryan (arrival 9.20am), Tom Alletson, Jordan Vickers, Nicole Skorupski (Tweed Shire Council – Minutes).

**Apologies:**

Jane Lofthouse, Noah Slabb, Peter Comerford, Jonathan Yantsch.

**Acknowledgement of Country****Minutes of Previous Meeting:**

**Moved:** Lindy Smith

**Seconded:** David Cranwell

**RESOLVED** that the minutes of the Tweed Coast and Waterways Advisory Committee meeting held Wednesday 11 December 2024 be accepted as a true and accurate record of the proceedings of that meeting.

**Business Arising:****BA1. Letter to NSW Maritime regarding Tweed River Estuary CMP actions on boating and river rehabilitation**

Council has issued a letter to Rod McDonagh of NSW Maritime regarding implementation of actions relating to vessel management from the Tweed River Estuary CMP. Rod acknowledged receipt of the letter.

**BA2. Jack Evans Boat Harbour sea wall repair update**

Tom provided an update on the state of the Jack Evans Boat Harbour (JEBH) sea wall. Transport for NSW has a licence with Crown Lands for river training infrastructure within the Tweed River. The JEBH seawall isn't included within the licence area, though is acknowledged to be part of the training walls. There is a strategic review underway which will likely see Transport for NSW identified as the owner of the JEBH seawall. There is a condition report and a cost estimate for repairs to get it back to the original design standard. Council has written to Geoff Provest and the Hon. Jo Haylen, Minister for Transport, emphasising the need for action to restore the wall. Tom has been advised that Council will soon be receiving responses from NSW Government.

A related issue is the foreshore within JEBH and erosion of the section between Twin Towns and Seascape apartment complex. Council has received post-flood grant funding to manage erosion on this highly used beach area and have engaged consultants to develop several options for foreshore stabilisation.

The option to be investigated further is to construct two small sandbag groynes on the foreshore and undertake nourishment to replenish the beach. The next step in this project will be to undertake community consultation and environmental assessment/approvals on the groyne proposal.

The seawall adjacent to Seascope is wholly owned by the body corporate. Seascope is awaiting development approval to rebuild the seawall, which is currently unstable. The wall is currently fenced to prevent public access, but because the public could traditionally use the area, people tend to think it is a Council structure and that Council is responsible for the closed access and seawall repair.

Members raised questions in relation to the JEBH river training seawall, and its poor condition leading to erosion within the harbour. Discussion on whether the grant funds would be better used to repair the river training wall. Tom advised that repair of the river training wall will not address the existing high priority erosion issue within the harbour, and that Council needs to address this problem in the short term. While the outer training seawall is important and is part of the long-term management of that area for decades to come, there is significant NSW government process and funding to be finalised before action will be taken. The post-flood grant funds allow Council to deal with the community beach use problems that exist now.

### **BA3. Terranora foreshore (Wyuna Road) rehabilitation**

An overview was provided:

- Estate developed in 1962, a dredge was used to fill lots and adjacent channel made deeper, and therefore a foreshore vulnerable to erosion was created. Houses are set back from the waterway by Council parkland with a width of about 10-20m.
- By mid-2010's a large proportion of residents projected their boundaries down over the parkland to the foreshore, treating the foreshore as private land.
- In 2017-2020 compliance action undertaken with residents who built structures without approval.
- Residents approached Council requesting approval for structures, primarily to support private use. Council advised private structures would not be approved as NSW legislation does not support private structures on community land.
- All the old structures that have illegally been built are dilapidated and present a hazard to the community.
- In 2023, Tweed Shire Council applied for a grant to remove all unapproved structures and build a revetment wall to prevent further erosion. Council advised adjacent residents of the rehabilitation project.
- Residents submitted a petition with 70+ signatures requesting that numerous privately funded boat ramps be added to the Council project. A Councillor Notice of Motion was resolved to pause the rehabilitation project while resident requests were considered.
- A workshop with residents, Councillors and DPI Fisheries staff was held to discuss the residents' proposal and consider relevant policy and legislation.
- A report on the matter is on the 20 February Council meeting agenda.

Dan Ware (DCCEEW) noted that the land is within the NSW coastal zone and a key objective of the *Coastal Management Act* is to maintain public access to public land. In accordance with this Act, Council needs to avoid any precedents which support private infrastructure on public land.

Agreement that the principal issue is privatisation of a public foreshore, and that this is not acceptable.

### **Agenda:**

#### **A1. Tweed Coastline Coastal Management Program (CMP) – update**

Progress to date:

- Currently at Stage 2 – Conducting hazard studies and gaining deeper understanding on how community uses and values the coastline. Findings will help inform how we develop options and actions for the next stage of the CMP. A report is going to the April Council meeting to endorse the hazards assessment, and it will then be made available to public.

- Jordan is also working on integrating the tidal inundation mapping from the CMP into the land use framework in the LEP and DCP.
- Plan to engage with community as tidal inundation is a new hazard in the Tweed and will be presenting a community engagement strategy that is spread over 6 months
  - Stage 1a Community Education
  - Stage 1b Community Information
  - Stage 2 Community Consultation

Discussion on sea level rise mapping with respect to contemporary analysis and projections for climate change impacts into the future. Jordan advised that Council has a legislative requirement to consider impacts of climate change and to take a precautionary approach. Maps are to be updated every 10 years with the CMP. Contemporary climate data and projections will be used to inform future hazard mapping.

Discussion on consideration of unpredictable tidal phenomenon, for example the coastal trapped wave phenomenon that led to overtopping of the weir at Bray Park. Jordan advised that the tidal inundation model runs thousands of different probable scenarios and then draws an average between them all. Ultimately what it shows is the likelihood of a particular event occurring.

## **A2. Hastings Point Headland Management Plan – Draft Report**

Jordan provided an update on key issues and proposed actions in the current draft report.

Next steps – workshop with Councillors and report to the April Council meeting recommending community exhibition. Part of the community consultation is to specify that the plan includes aspirational items and options. Actions are currently not funded and are to be implemented over time.

## **A3. Request from Fingal Head Community Association for representation at the TCWC**

The Fingal Head Community Association requested representation from the Fingal Head locality in the membership of the Tweed Coast and Waterways Committee. The letter of request acknowledged missing the nomination process. Council's Governance Unit advises that the committee can resolve to include a representative from the Fingal Head Community.

**Moved:** Sam Dawson

**Seconded:** Lindy Smith

**RECOMMENDATION** that Council invites the Fingal Head Community Association to nominate a locality representative to the Tweed Coast and Waterways Committee in accordance with the Terms of Reference.

Unanimous

## **A4. Water quality reporting**

During a previous meeting we had a group from Department of Climate Change, Energy, the Environment and Water (DCCEEW) present water quality analysis work that had been done in the Tweed River following the 2022 floods.

In June last year Tom was provided with a draft report, however the project has not been finalised due to staffing changes within the department. Dan (DCCEW) advised that initially the 2017-2023 data set report will be finalised, the department will then generate a 2023-2025 document. Tom advised that once it is received, Council will make the report available to the community, both in its entirety, as well as a community friendly water quality report card. An important point to convey is that water quality can change every day but it's the long-term trends that tell how healthy the river is overall.

Tom noted the frequent high levels of bacteria observed in samples from Cudgera Creek. Water quality in the popular swimming area at the creek mouth is typically good on high tide but

potentially affected by catchment discharge at low tide. Additional water quality monitoring is being undertaken to identify which of the Cudgera Creek sub-catchments is contributing high bacteria levels. The Tweed Lab will be collecting water samples from Cudgera Creek to be assessed using Environmental DNA analysis. This will determine the species are contributing faecal bacteria. In Cudgera Creek potential sources of bacteria could include, flying fox roost, shore birds, waterfowl in the Seabreeze stormwater ponds, pets, cattle, on-site septic systems.

Discussion on the reach of Cudgera Creek near Koala Beach being poorly flushed with limited tidal flow. Tom noted that Cudgera is a small narrow creek that has changed substantially over time due to catchment land uses and development. It is highly unlikely that any proposal to dredge Cudgera Creek to change water quality would be supported.

Discussion on suspended sediment levels in Byrrill Creek and Mooball Creek. Tom advised the Tweed River report looks at turbidity and will provide a comparison for turbidity from 2017-2023. Noting that the variability will be related to rainfall.

Discussion on whether water quality has changed in response to improved land management over the past 5 years. Tom advised that rainfall primarily drives water quality results and that it is unlikely that the community's efforts in rehabilitation will affect water quality as much as natural climate variability (at a Tweed Valley scale) over the course of a working lifetime.

Tom noted a previous water quality report in the upper catchment with two sub-catchments, Pumpenbil and Byrrill Creek. Byrrill Creek has the highest proportion of forest and riparian vegetation and Pumpenbil has the least, and in this report Pumpenbil had the poorer water quality. There is plenty of evidence to support a healthy catchment equals better water quality.

Tom concluded that water quality is primarily a story about rain and land management, and that it's a complicated thing to report clearly to the community on.

Rhonda advised we will continue this discussion at next meeting.

## **A5. April meeting venue – committee interest in bus tour**

Tom proposed a bus tour of relevant sites for the April meeting. The tour would be in lieu of a meeting but would allow some opportunity to discuss important business. It was requested that important business items including the Water Quality Report be provided to the committee prior to bus tour so it can be discussed.

The bus tour was agreed on by majority of the committee.

## **General Business:**

### **GB1. Hastings Point Wastewater Treatment Plant Dune Disposal**

David tabled a list of questions from the Pottsville Community Association relating to the proposed upgrade of the Hastings Point Wastewater Treatment Plant (HPWWTP). Tom consulted with Council's Water and Wastewater Unit to provide information to the committee.

Council has a Your Say Tweed web site set up for the WPWWTP upgrade. Further information is available at that site: [www.yoursaytweed.com.au/hastings-point-plant-upgrade](http://www.yoursaytweed.com.au/hastings-point-plant-upgrade)

A report is going to the 20 February Council meeting and is publicly available on the meeting agenda. David advised that the Pottsville Community Association has submitted a request that the decision be deferred until further investigations are undertaken.

Tom committed to get responses to the questions tabled and send out as a direct email to committee members.

## **GB2. Cudgen Creek**

Discussion on reports from residents and kayakers observing suspended sediment downstream of the Kings Forest development site. Concerns about road upgrade, vegetation loss, bank erosion and future stability issues. For discussion at next meeting.

## **GB3. Fire Ants**

Discussion that earth movers and turf providers are using Numinbah Road and unmonitored border crossing to avoid the fire ant screening requirements. Noted a media release has just come out today about two companies charged for illegally moving turf over the border. Committee members to report any fire ant concerns to 1800 680 244.

## **Outstanding Items:**

Nil.

## **Next Meeting:**

The next meeting of the Tweed Coast and Waterways Advisory Committee will be held on Wednesday 9 April 2025, with further details to be advised.

The meeting closed at 12.07pm

## **EXECUTIVE LEADERSHIP TEAM'S COMMENTS:**

A3. Request from Fingal Head Community Association for representation at the Tweed Coast and Waterways Advisory Committee

That Council invites the Fingal Head Community Association to nominate a locality representative to the Tweed Coast and Waterways Committee in accordance with the Terms of Reference.

## **EXECUTIVE LEADERSHIP TEAM'S RECOMMENDATIONS:**

A3. Request from Fingal Head Community Association for representation at the Tweed Coast and Waterways Advisory Committee

That Council invites the Fingal Head Community Association to nominate a locality representative to the Tweed Coast and Waterways Committee in accordance with the Terms of Reference.