

Annual Report

2023-2024



Acknowledgement of country

Bundjalung Nation

Tweed Shire Council acknowledges the Ngandowal and Minyungbal people of the Bundjalung nation, particularly the Goodjinburra, Tul-gi-gin, and Moorungmoobah clans, as the Traditional Owners and Custodians of the land and water within our Shire's boundaries. We also respect the Tweed Aboriginal community's right to speak for their Country and to uphold their traditions and lore in caring for their ancestral lands.

Commitment to reconciliation

In the Tweed, we aspire to a future where reconciliation is woven into the fabric of our community. Our goal extends beyond cultural acknowledgment; it is about living and loving the Tweed in a way that includes everyone.

We recognise and celebrate the rich heritage of Aboriginal and Torres Strait Islander peoples, and welcome their contributions to preserving, strengthening, and enriching the Tweed community and its identity.

We will continue to promote and advocate reconciliation initiatives, actions and events, with a focus on truth telling, cultural education and awareness.

Our Reconciliation Action Plan (RAP)

Our Innovate Reconciliation Action Plan (RAP) 2024–2026 reaffirms our respect and furthered understanding of Aboriginal and Torres Strait Islander peoples' unique heritage, culture and connection to the region.

Launched in National Reconciliation Week celebrations, the RAP (May 2024 – May 2026) is part of Council's commitment to fostering an inclusive community and guides efforts towards reconciliation for the benefit of First Nations people.

This RAP highlights achievements like the creation of Livvi's Place – Goorimahbah Place of Stories, a playground and cultural space celebrating the Tweed Bundjalung Nation through artwork and storytelling. The recent phase of the project includes a vibrant youth precinct with a skate park featuring artwork by local Bundjalung artist Christine Slabb and wooden sculptures by Aboriginal artist Glenn Romanis.

Other achievements include the Aboriginal and Torres Strait Islander Town Planner Development Program, developed in partnership with Griffith University, to support emerging Aboriginal and Torres Strait Islander town planners in Tweed, and the Hastings Point Headland Management Plan, which seeks to protect culturally significant sites like the Cudgera Creek fish traps.

This RAP builds on the work completed under Council's original RAP launched in 2016 and will reflect Council's ongoing commitment to advancing reconciliation across the organisation.

Planning agreements

Planning agreements are voluntary agreements or other arrangements under the Act between a planning authority (such as Tweed Shire Council) and a person or company (the developer) who has sought a change to an environmental planning instrument, or who has made, or proposes to make, a development application under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.

Particulars of compliance with and effect of planning agreements in force during the year

Planning Agreement	Objectives	Status
Altitude Aspire Planning Agreement Tweed Shire Council, Metricon QLD Pty Ltd	The objective of the Planning Agreement is to provide a mechanism by which monetary contributions and the dedication of land may be made by the developer towards the provision of public amenities, services and infrastructure, including: • the construction of Broadwater Parkway and Mahers Lane; • flood mitigation works; • protection and restoration of environmental land; • the provision of structured public open space; • the dedication of land for the future route of the Broadwater Parkway, and • the dedication of land	Development commenced. Pro rata collection of contributions commensurate with planning agreement and development staging. Funds have been spent on a detailed concept design for Broadwater Parkway, and commencement of the planning approval and environmental assessments for the road corridor, and a portion of the road alignment. \$1.3 million was receipted in the financial year for stages 8b & 11 of Altitude Aspire subdivision. During the year Council expended \$1.3 million towards road reserve land acquisition expenses.
Seaside City Planning Agreement Richtech Pty Ltd , Tweed Shire Council	The objectives of the Planning Agreement are: • define a schedule of works that the developer agrees to provide; • define a schedule of dedication of land; • provide a mechanism by which monetary contributions can be made, and • provide a mechanism where Council reimburse the developer for certain works.	Development commenced. Pro rata collection of contributions commensurate with planning agreement and development staging. During the financial year Council forwarded \$18,000 to Richtech Pty Ltd for funds receipted to DC Plan 28 Seaside City Open Space. These contributions were originally receipted by Council for a subdivision approval within the Seaside City DC contribution area.

Planning Agreement	Objectives	Status
Pottsville Employment Land Planning Agreement Lot 12 DP 1015369, 39 Kudgerie Avenue, Cudgera Creek	The objectives of the Planning Agreement are: • dedicate land to council for environmental purposes; • dedicate land for the widening of Kudgerie avenue adjoining the property by five metres, and • limit the volume of waste water discharged from the site into Council's reticulated sewer system to not more than five litres per second.	Pottsville Development Cooperation Of the \$120,000 Environmental Management Land dedication \$56,000 paid. A further annual instalment of \$8,000 was receipted towards the Agreement in the financial year. This accounts for total receipts under this VPA to \$59,000 out of the total due of \$120,000. During the year Council expended \$2,000 from the reserve towards bushland restoration dedicated environmental land in accordance with this VPA
Mooball Planning Agreement Tweed Shire Council, Jefferson Land Pty Ltd at The Mooball Residential Trust, Raymond Anthony Pirlo and Margaret Pirlo	The objectives of the Planning Agreement are: • ensure that adequate water and waste water infrastructure is provided to the development; • dedication of land; • requires covenants to be registered on the title to the land, and • requires design guidelines for the development of the land to be developed.	Residential development guidelines have been drafted and endorsed by Council. Aboriginal Cultural Heritage Assessment (test pits) has been completed. Further flood modelling and assessment required. Development not yet commenced.
River Retreat Caravan Park Planning Agreement Tweed Shire Council, Dennien Pty Ltd	The objectives of the Planning Agreement are to provide a mechanism by which: • suitable monetary contributions may be made by the developer towards the provision of community infrastructure to meet the needs of residents within the locality; • the Developer must prepare a flood evacuation plan for the land to ensure the safety of occupants in the event of flooding, and • the type of camping ground development which can be accommodated on the land is restricted to a maximum of 10 sites for use by recreational camper vans and Camper Trailers only, for a maximum of 60 days by any one person.	Development has commenced.DA18/050 commenced 2020.
74–76 Pearl St, Kingscliff Planning Agreement Tweed Shire Council, Lathouras Corporation Pty Ltd, Brett Evans, Bralach Pty Ltd	The objectives of the Planning Agreement are to: • provide a mechanism by which monetary contributions can be made towards offsets required for compensatory plantings, and • use the monetary contributions for the public purpose of improving littoral rainforest within the Tweed Shire.	DA17/0231 was granted consent for residential flat building, swimming pool, demolition of existing dwelling and tree removal. Payment made Development Commenced

Planning Agreement	Objectives	Status
1 Ozone Street, Chinderah Planning Agreement	The objectives of the Planning Agreement are to: • facilitate the conservation and enhancement of the natural environment • specifically to allow for the provision of a monetary contribution to Council in the amount of \$262,500 (including GST) (Monetary Contribution) towards regeneration and ongoing maintenance of an area of 5.25 ha at Cudgen Nature Reserve	DA Reference No. DA10/0737. Payment made. No income has been received in the reporting period. During the financial year Council expended \$36,898 from the reserve towards bushland restoration in the Cudgen Nature Reserve in accordance with this VPA.
77 Mahers Lane, Terranora Planning Agreement	The objectives of the Planning Agreement are to: • secure the payment of monetary contributions towards the provision of infrastructure required for the development of the land and the surrounding area	DA Reference No. DA18/0784. Subdivision Certificate issued (SC20/0005). Planning agreement signed by all parties. VPA Contributions paid.
3-6 Trutes Terrace, Terranora Planning Agreement	The objectives of the Planning Agreement are to: • secure the payment of monetary contributions towards the provision of infrastructure required for the development of the Land and the surrounding area and commits the landowner to connecting to town sewer when it becomes available in the area.	DA Reference No. DA13/0385 Subdivision Certificate SC19/0039 finalised. VPA requirements undertaken and completed and contributions paid.
1 Walmsleys Road, Bilambil Heights	This VPA identifies obligations in relation to environmental land: • the developer must not lodge a DA for any development on the land other than giving effect to Habitat Restoration Plan (HRP). • The developer must commence implementation of the HRP (attached to the VPA) The developer to provide Security in the amount of \$106,546 in relation to the performance of its obligation	In November 2022, the landowner submitted with Council security in the amount of \$106,546.00 in relation to the performance of obligations under the Planning Agreement.
No. 5 Jalibah Avenue TWEED HEADS Kings Coast Subdivision, Kingscliff	The objectives of the Planning Agreement are to: • Secure the payment of monetary contributions towards the planting and ongoing maintenance of Preferred Koala Food Trees on Council's Community land in Southern Tweed Coast Koala Management Area.	Development consent was granted 29 June 2023 which required the applicant to enter into a Planning Agreement with Tweed Shire Council prior to the issue of any Construction Certificate. \$199,000 was received for casual open space and is currently held in reserve.

Contribution Plan No.	Contribution Plan	Project ID	Project description	The kind of public amenity or service	Monetary amount expended from development contributions	Value of land dedication	Value of material public benefit provided	Contribution expended to date	Temporary borrowing	Project status	% of cost funded by contributions
18	Council/Admin/ Tech Support	CP18-2009-000	Depots - Loan Repayments (A4905)	Community facilities	25,770.49	0	0	25,770.49	0	Ongoing	100%
18	Council/Admin/ Tech Support	CP18-2009-000	Civic Centres - Loan Repayments (A2135)	Community facilities	375,631.82	0	0	375,631.82	0	Ongoing	56%
23	Car parking	CP23-2013-040	Hastings Rd - Multi Storey Car Park (A3299)	Traffic facilities	68,253.06	0	0	68,253.06	0	Ongoing	100%
23	Car parking	CP23-2013-020	M'bah Carpark - Loan repayments (A1504)	Traffic facilities	361,819.19	0	0	361,819.19	0	Ongoing	24%
26	Shire Wide Open Space	CP26-2009-005	Pottsville Open Spaces Master Plan (A4481)	Open Space	36,385.48	0	0	36,385.48	0	Completed	100%
26	Shire Wide Open Space	CP26-2009-004	JEBH Goorimabah Playspace (A4253)	Open Space	400,057.14	0	0	400,057.14	0	Completed	40%
	Shire Wide Open Space	CP26-2009-004	JEBH Goorimabah Playspace (A4253)	Open Space	117,864.00	0	0	117,864.00	0	Completed	100%
26	Shire Wide Open Space	CP26-2009-999	Sports & Active Rec Strategy (A4482)	Open Space	86,361.00	0	0	86,361.00	0	Ongoing	100%
					3,849,893.75	771,893.13	0	4,621,786.88	0		
Note: This report has been prepared in accordance with Division 1 Part 9 of the Environmental Planning and Assessment Act 2021											

Voluntary Planning Agreements (VPA) are another method developers may contribute towards infrastructure. A local planning agreement is an agreement between Council and a developer that specifies how the developer will provide infrastructure for the benefit of the community. This type of agreement is usually made when a developer applies for a development approval or a change in land use. Planning agreements are a way of enabling Council and developers to collaborate on innovative infrastructure solutions.

The following is a summary of the projects that were funded by developer contributions received through VPAs in the 2023/24 financial year.

Tweed Shire Council – Developer Contributions Annual Reporting									
Projects Funded from Developer Contributions for 2023/24									
Voluntary Planning Agreement	VPA Ref.	Project description	The kind of public amenity or service	Monetary amount expended from development contributions	Value of land dedication	Value of material public benefit provided	Temporary borrowing	Project status	% of cost funded by contributions
VPA Reserve - Altitude Aspire	VPA-001-02	Construction of Broadwater Parkway and Mahers Lane within Area E	Roads	1,878,879.80	-	-	0	Complete	100%
VPA Reserve - 74-76 Pearl St, Kingscliff	VPA-006-19	Environmental Restoration works	Environmental Management	7,000.00	-	-	0	Complete	100%
VPA Reserve - Ozone St	VPA-008-19	Regeneration and ongoing maintenance of an area of 5.25 ha at Cudgen Nature Reserve	Environmental Management	23,688.30	-	-	0	Ongoing	100%
VPA Reserve - Kudgerie Ave, Pottsville	VPA-003-19	Restoration works on Environmental Management Land	Environmental Management		-	-	0	Ongoing	100%
Total				1,912,368.21					
Note: This report has been prepared in accordance with Division 1 Part 9 of the Environmental Planning and Assessment Act 2021									