

# Minutes - Ordinary Meeting of Tweed Shire Council

## IN ATTENDANCE

Councillors L F Beck (Mayor), M R Boyd, R D Brinsmead, B J Carroll, G Davidson (Deputy Mayor), H James, G J Lawrie, B M Luff, W M Marshall, W J Polglase, P C P Youngblutt.

Also present were Mr Ian Carpenter (Acting General Manager), Mr Mike Rayner (Director Engineering Services), Mr David Broyd (Director Development Services), Mr Geoff Edwards (Acting Director Environment & Community Services), Mr Brian Donaghy (Manager Administration Services/Public Officer) and Ms Kerrie Dudgeon (Minutes Secretary).

Councillors Brinsmead, Carroll, Luff were not present at the commencement of the Meeting.

The meeting opened with a Prayer by the Mayor, Councillor Beck.

## CONFIRMATION OF MINUTES

GC6/13 Pt4

1636

Cr Marshall  
Cr Lawrie

**RESOLVED** that the Minutes of the Ordinary Meeting held 3 May 2000 be confirmed as an accurate record of the proceedings of that Meeting, with the following amendment to Minute No. 1591:-

*“that Council approves this application subject to the following conditions:-  
.....”*

**Voting - Unanimous**

1637

Cr Boyd  
Cr Marshall

**RESOLVED** that the Minutes of the Extraordinary Meeting held 10 May 2000 be confirmed as an accurate record of the proceedings of that Meeting.

**Voting - Unanimous**

## ABSENT

Nil

GC6/1/2 Pt1

## DISCLOSURE OF INTEREST

Nil

GC6/1/4 Pt1

## ATTENDANCE AT MEETING

GC6/1/2 Pt1

Cr Carroll attended the meeting at 3.08pm.

# Minutes - Ordinary Meeting of Tweed Shire Council

## ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil

## ATTENDANCE AT MEETING

GC6/1/2 Pt1

Cr Brinsmead attended the meeting at 3.10pm.

## SCHEDULE OF OUTSTANDING RESOLUTIONS

1638

Cr Boyd

Cr Davidson

**RESOLVED** that this report be received and noted.

**Voting - Unanimous**

## ATTENDANCE AT MEETING

GC6/1/2 Pt1

Cr Luff attended the meeting at 3.12pm.

## MAYORAL MINUTE

GC6/18 Pt5

### 1. Koala Wanderers - Tweed Valley

Walking Trails

This item was received and noted.

### 2. Southern Cross University Graduations

Education Matters

This item was received and noted.

### 3. 2000 Banksia Environmental Awards

Agenda 21

This item was received and noted.

### 4. Citizenship Ceremonies

Citizenship

1639

Cr Polglase

Cr Marshall

**RESOLVED** that Council defers this item to allow the Ministers Fraternal to meet and consider supplying the bibles for citizenship ceremonies at no cost to Council.

**Voting - Unanimous**

# Minutes - Ordinary Meeting of Tweed Shire Council

## 4a. Formation of SouthROC Economic Development Group

SouthROC

1640

Cr Luff

Cr Lawrie

**RESOLVED** that this item be deferred to consider Council's representatives.

**Voting - Unanimous**

## 4b. Petition - Lake Kimberley

DA5937/740 Pt2

Cr Beck presented a petition to the Acting General Manager from residents regarding the subdivision of Lot 117 DP 879797 Darlington Drive/Winders Place, Banora Point (Surrounding Lake Kimberley) - Bradshaw Developments Pty Ltd.

## 4c. Far North Coast Life Education Inc. - Letter of Support

Youth Matters

1641

Cr Boyd

Cr Marshall

**RESOLVED** that Council writes a letter of support for the Far North Coast Life Education Inc's submission to the Local Government and Shires Association.

**Voting - Unanimous**

## 4d. Public Meeting - Rates

Budget

1642

Cr Brinsmead

Cr Marshall

**RESOLVED** that:-

1. A Public Meeting be held on Tuesday, 13 June 2000 at 7.30pm in the Murwillumbah Auditorium to discuss the rate rise.
2. An Extraordinary Council Meeting be held on Wednesday, 14 June 2000 at 8.30pm to adopt the Management Plan.

**Voting - Unanimous**

## Adoption of Mayoral Minute

GC6/18 Pt5

1643

Cr Beck

**RESOLVED** that the Mayoral Minute as presented be adopted.

**Voting - Unanimous**

# Minutes - Ordinary Meeting of Tweed Shire Council

## ITEMS DEFERRED

2. **Development Application K99/1682 - Proposed 8 Lot Subdivision of Lot 117 DP 879797 Darlington Drive/Winders Place, Banora Point (Surrounding Lake Kimberley) - Bradshaw Developments Pty Ltd**  
**DA5937/740 Pt2**

1644

Cr James

Cr Boyd

**RESOLVED** that this item be dealt with at Item 2 of Reports from Director Developments Services of this Agenda.

### Voting - Unanimous

1. **Service Level Improvements - Development Assessment**  
**Development Assessment Panel**

1645

Cr Luff

Cr Lawrie

**RESOLVED** that Council:-

- A. Endorses the following nominees to additionally participate in the committee to develop a protocol on Development Assessment and Decision Making:
1. Cudgen Progress Association – Len Wallace.
  2. Tweed Heads Residents and Ratepayers Association – Ronni Hoskinson.
  3. Caldera Environment Centre – Mr Paul Hopkins.
- B. Accepts nominations from the Kingscliff Business Corporation, Kingscliff Progress Association, Banora Point Progress Association, Murwillumbah Business Corporation and Tweed Heads Chamber of Commerce.

### Voting For

Cr Beck  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie  
Cr Luff  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

### Voting Against

Cr Boyd

## REPORTS THROUGH GENERAL MANAGER

## REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

# Minutes - Ordinary Meeting of Tweed Shire Council

1. **Development Application K99/957 for an Extractive Industry at Lots 9 and 10 DP 822830 and Pt Lot 1 DP 823460 Kirkwood Road, Tweed Heads South**

DA2920/121 Pt4

1646

Cr Brinsmead  
Cr Lawrie

**RESOLVED** that this item be deferred to enable the applicant to submit an amended development application.

## AMENDMENT

Cr James  
Cr Luff

**PROPOSED** that Development Application K99/957 for an extractive industry at Lots 9 and 10 DP 822830 and Part Lot 1 DP 823460 Kirkwood Road, Tweed Heads South be refused for the following reasons:-

1. It would not be in the public interest to enable the earthworks to occur until such time as it is certain that the works are necessary for the construction of the Kirkwood Road link.
2. The proposed earthworks will result in an increase in noise levels experienced at nearby residential premises.
3. The proposed earthworks will have an adverse effect on the scenic quality of the area as the existing hill is a prominent topographical feature with local and district landscape value.

## PROCEDURAL MOTION

GC6/4

1647

Cr Polglase  
Cr Marshall

**RESOLVED** that the motion be put.

### Voting For

Cr Beck  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

### Voting Against

Cr Boyd  
Cr James  
Cr Luff

The Amendment was **Lost**

# Minutes - Ordinary Meeting of Tweed Shire Council

Voting For	Voting Against
Cr Boyd	Cr Beck
Cr Carroll	Cr Brinsmead
Cr James	Cr Davidson
Cr Luff	Cr Lawrie
	Cr Marshall
	Cr Polglase
	Cr Youngblutt

The Motion was **Carried**

Voting For	Voting Against
Cr Beck	Cr Boyd
Cr Brinsmead	Cr Carroll
Cr Davidson	Cr James
Cr Lawrie	Cr Luff
Cr Marshall	
Cr Polglase	
Cr Youngblutt	

2. **Development Application K99/1682 - Proposed 8 Lot Subdivision of Lot 117 DP 87997 Darlington Drive/Winders Place, Banora Point (Surrounding Lake Kimberley) - Bradshaw Development Pty Ltd**  
**DA5937/740 Pt2**

**Cr Polglase**

**Cr Youngblutt** **PROPOSED** that Council:-

1. Exhibits the Development Application as lodged.
2. Exhibits the draft amendment to DCP3 that would facilitate the development.
3. Exhibits alternate open space options for public input.
4. Convenes a further panel meeting with the Director Development Services prior to the finalisation of the report to Council in June 2000.

## AMENDMENT 1

**1648**

**Cr Lawrie**

**Cr Marshall** **RESOLVED** that Council:-

1. Exhibits the Development Application as lodged.
2. Exhibits alternate open space options for public input.
3. Convenes a further panel meeting with the Director Development Services prior to the finalisation of the report to Council in June 2000.

Amendment 1 was **Carried**

# Minutes - Ordinary Meeting of Tweed Shire Council

## Voting For

Cr Boyd  
Cr Carroll  
Cr James  
Cr Lawrie  
Cr Marshall  
Cr Youngblutt

## Voting Against

Cr Beck  
Cr Brinsmead  
Cr Davidson  
Cr Luff  
Cr Polglase

## AMENDMENT 2

**Cr Luff**  
**Cr Boyd**

**PROPOSED** that a further panel meeting be convened with the Director Development Services prior to the finalisation of the report to Council in June 2000.

Amendment 2 was **Lost**

## Voting For

Cr Boyd  
Cr Carroll  
Cr James  
Cr Luff

## Voting Against

Cr Beck  
Cr Brinsmead  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

Amendment 1 on becoming the Motion was **Carried**

## Voting For

Cr Beck  
Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

## Voting Against

Cr Luff

## Minutes - Ordinary Meeting of Tweed Shire Council

3. **Proposed 82 Lot Subdivision at Lot 3 DP 865049 Coast Road, South Kingscliff - Casuarina Beach Stage 2**

**DA1180/668 Pt5**

1649

Cr Polglase

Cr Marshall

**RESOLVED** that this item be received and noted.

**Voting - Unanimous**

4. **Industrial Land Policy; Potential Industrial Land, South Murwillumbah**

**Industrial Land Investigation Study**

1650

Cr Boyd

Cr Polglase

**RESOLVED** that Council endorses the proposal submitted to the Area Consultative Committee and submits a letter of support.

**Voting For**

Cr Boyd

Cr Carroll

Cr Davidson

Cr Lawrie

Cr Luff

Cr Polglase

Cr Youngblutt

**Voting Against**

Cr Beck

Cr Brinsmead

Cr James

Cr Marshall

5. **Use of an Existing Hall as a Recreation Facility at Lot 2 DP 735226 Racecourse Road, Tyngalga**

**DA4540/52 Pt1**

Cr Beck

Cr Marshall

**PROPOSED** that Council acknowledges that the Seventh Day Adventist Church complex already has the right to operate as a recreation facility.

**AMENDMENT 1**

Cr Luff

Cr Carroll

**PROPOSED** that the development application lodged by Australasian Conference Associations Ltd for the use of an existing hall at Lot 2 DP 735226 Racecourse road, Tyngalga as a recreation facility be approved subject to the following conditions:-

**PRE-REQUISITES - conditions that must be complied with prior to issue of a construction certificate**



# Minutes - Ordinary Meeting of Tweed Shire Council

1. (i) Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan prior to the use or occupation of the building as a "recreation facility".  
Pursuant to Clause 79H of the Environmental Planning and Assessment Regulations, 1994, a Construction Certificate shall **NOT** be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.  
These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.  
A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.
  - a. Tweed Road Contribution Plan: \$11,515.95  
S94 Plan No. 4 (Version 4.0)  
(Rural - Inner zone - Commercial)

## GENERAL

2. The development shall be completed in general accordance with Plans lodged with the development application, except where varied by these conditions.
3. Advertising structures/signs to be the subject of a separate development application, where statutorily required.
4. The opening hours of the recreation facility are restricted from 8.00am to 10.00pm 7 days a week.

## DRAINAGE/FLOODING

5. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage.

## ENVIRONMENT PROTECTION

6. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, fumes or the like.

## PROCEDURAL MOTION

GC6/4

1651

Cr Polglase

Cr Youngblutt **RESOLVED** that the motion be put.

# Minutes - Ordinary Meeting of Tweed Shire Council

## Voting For

Cr Beck  
Cr Brinsmead  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

## Voting Against

Cr Boyd  
Cr Carroll  
Cr James  
Cr Luff

Amendment 1 was **Lost**

## Voting For

Cr Carroll  
Cr James  
Cr Luff

## Voting Against

Cr Beck  
Cr Boyd  
Cr Brinsmead  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

## AMENDMENT 2

**1652**

**Cr Davidson**

**Cr Polglase**

### **RESOLVED** that

- A. Notwithstanding Council's Policy on Section 94 Contributions in this particular circumstance, Council agrees to waive the road contribution.
- B. The development application lodged by Australasian Conference Associations Ltd for the use of an existing hall at Lot 2 DP 735226 Racecourse Road, Tyalgah as a recreation facility be approved subject to the following conditions:-

### **GENERAL**

1. The development shall be completed in general accordance with Plans lodged with the development application, except where varied by these conditions.
2. Advertising structures/signs to be the subject of a separate development application, where statutorily required.
3. The opening hours of the recreation facility are restricted from 8.00am to 10.00pm 7 days a week.

### **DRAINAGE/FLOODING**

4. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage.

### **ENVIRONMENT PROTECTION**

# Minutes - Ordinary Meeting of Tweed Shire Council

5. The use to be conducted so as not to cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, fumes or the like.

## PROCEDURAL MOTION

GC6/4

1653

Cr Polglase  
Cr Luff

**RESOLVED** that the motion be put.

### Voting - Unanimous

Amendment 2 was **Carried**

#### Voting For

Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie  
Cr Polglase  
Cr Youngblutt

#### Voting Against

Cr Beck  
Cr Luff  
Cr Marshall

Amendment 2 on becoming the Motion was **Carried**

#### Voting For

Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

#### Voting Against

Cr Beck  
Cr Luff

## 6. Bilambil Heights - Area E

GT1/ILAP/4 Pt 3

1654

Cr Polglase  
Cr Marshall

**RESOLVED** that Council:-

- Amends Clause 114 of the Tweed Shire 2000+ Strategic Plan, to read as follows:  
“**Long Term Urban Release** - The Bilambil Heights Release Area has major infrastructure impediments and requires a comprehensive multi-

# Minutes - Ordinary Meeting of Tweed Shire Council

ownership planning approach. ~~If after three years no commitment has been given by landowners for infrastructure at Bilambil Heights, then Area 'E' at Terranora should be considered for release subject to other Strategic Plan requirements.~~ No development approvals for the release of land for residential development will be granted until such time as the Tugun Bypass and Cobaki Parkway are commenced to provide appropriate access to the regional road network”.

- In accordance with Section 54 of the Environmental Planning and Assessment Act inform the Regional Director, Department of Urban Affairs and Planning, that Council intends to prepare a draft LEP to amend the Tweed LEP 2000 to require that no development approval for the release of land for residential development at Bilambil Heights can be granted by Council until the Tugun Bypass and Cobaki Pathway are commenced to provide appropriate access to the regional road network, and that in Council’s opinion a Local Environmental Study is not required.

### Voting - Unanimous

### 7. Staffing - Contract Senior Strategic Planner

#### Strategic Planning Program

1655  
Cr Polglase  
Cr Lawrie

**RESOLVED** that Council advises the proponents of the three nominated rezoning proposals to be undertaken by the Contract Senior Strategic Planner position that confirmation of the following arrangements is acceptable:

1. Having regard to the possible content of the rezoning proposals, the following breakdown of costs is nominated relative to a total one year estimated cost of \$72,750.00:
 

Area E	(50%)
Chinderah	(25%)
Black Rocks	<u>(25%)</u>
	100%

This can be reviewed through the rezoning process and costs adjusted as necessary with the prior negotiation with each proponent.

2. The position is subject to confirmation in Council’s Management Plan Budget 2000/2001 and Council resolution formally initiating the relevant draft Local Environmental Plan.
3. The engagement of this contracted planner at the proponents’ cost; and under the direct, independent management of the Director of Development Services; does not preclude the necessity for proponents’ funding requirements for other specialist studies: eg Water Quality Management for Area “E”.

### TEMPORARY ABSENCE FROM MEETING

GC6/1/2 Pt1

# Minutes - Ordinary Meeting of Tweed Shire Council

Cr Youngblutt left the meeting.

**Voting - Unanimous**

**RETURN TO MEETING**

**GC6/1/2 Pt1**

Cr Youngblutt returned to the meeting.

**8. Proposed Mooring Facility and Floating Boom for Volunteer Marine Rescue, Jack Evans Boatharbour, Tweed Heads**

**DA4030/9010 Pt1**

**Cr Luff**

**Cr Marshall**

**PROPOSED** that Development Application No K2000/337 for the installation of a mooring facility and floating boom at the Jack Evans Boatharbour, Tweed Heads be approved subject to the following conditions:-

**GENERAL**

1. The development shall be completed in general accordance with the plans submitted with the development application in 9 March, 2000, except where varied by these conditions.
2. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.
3. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742-1991 (Manual for Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

**ACID SULFATE SOILS**

4. The applicant is to prepare an Acid Sulfate Management Plan prepared in accordance with guidelines, as amended from time to time, published by the Environment Protection Authority. The plan is to be submitted to and approved by the Director Environment & Community Services prior to the commencement of works.

**ENVIRONMENT PROTECTION**

5. All work associated with this approval is to be carried out so as not to cause a nuisance to residents in the locality from noise, water or air pollution.
6. Construction site work including the entering and leaving of vehicles is to be restricted to between 7.00 am and 7.00 pm Monday to Saturday and no work on Sundays.
7. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:

## Minutes - Ordinary Meeting of Tweed Shire Council

A. Short Term Period - 4 weeks.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.

B. Long term period - the duration.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.

8. The fuelling of the vessel is to be carried out as per guidelines and requirements of NSW WorkCover.
9. The contents of any tanks or holding facility on board the vessel which are used for the storage of waste are to be emptied and disposed of as approved by Council. Details of disposal location and contents of tanks are to be submitted to Council's Environment and Health Services Unit for approval.
10. A licence is to be obtained from the Department of Land and Water Conservation under the Crown Lands Act 1989 prior to any work commencing on the development.

### AMENDMENT

1656

Cr Lawrie  
Cr Boyd

**RESOLVED** that Development Application No K2000/337 for the installation of a mooring facility and floating boom at the Jack Evans Boatharbour, Tweed Heads be approved subject to the following conditions:-

#### GENERAL

1. The development shall be completed in general accordance with the plans submitted with the development application in 9 March, 2000, except where varied by these conditions.
2. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.
3. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742-1991 (Manual for Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.

#### ENVIRONMENT PROTECTION

4. All work associated with this approval is to be carried out so as not to cause a nuisance to residents in the locality from noise, water or air pollution.
5. Construction site work including the entering and leaving of vehicles is to be restricted to between 7.00 am and 7.00 pm Monday to Saturday and no work on Sundays.

## Minutes - Ordinary Meeting of Tweed Shire Council

6. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:
  - A. Short Term Period - 4 weeks.  
L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.
  - B. Long term period - the duration.  
L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.
7. The fuelling of the vessel is to be carried out as per guidelines and requirements of NSW WorkCover.
8. The contents of any tanks or holding facility on board the vessel which are used for the storage of waste are to be emptied and disposed of as approved by Council. Details of disposal location and contents of tanks are to be submitted to Council's Environment and Health Services Unit for approval.
9. A licence is to be obtained from the Department of Land and Water Conservation under the Crown Lands Act 1989 prior to any work commencing on the development.

The Amendment was **Carried**

**Voting For**

Cr Beck  
Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

**Voting Against**

Cr Luff

The Amendment on becoming the Motion was **Carried**

**Voting - Unanimous**

## Minutes - Ordinary Meeting of Tweed Shire Council

9. **Proposed Section 96 Modification to Development Consent No. K99/400 - Construction of Shops/Restaurants/Accommodation/Carpark and Marina and Staged Subdivision at Lots 1 & 2 DP 78188, Lot 12 DP 260722, Lot 3 DP 913262, Lot 1 DP 32406 & Portions 462, 463 and 470 Chinderah Bay Drive, Chinderah & Adjacent Crown Lands**  
DA4030/3750 Pt6

1657

Cr Boyd

Cr Marshall

**RESOLVED** that the proposed modification of Development Consent K99/400 be approved subject to amendment of condition No. 6 as follows:

6. The development shall be completed in general accordance with Plan No. 1, 2, 3, 4 and 5 dated 9 December 1999, drawn by Peter Batley except where varied by these conditions.

**Voting For**

**Voting Against**

Cr Beck

Cr James

Cr Boyd

Cr Brinsmead

Cr Carroll

Cr Davidson

Cr Lawrie

Cr Luff

Cr Marshall

Cr Polglase

Cr Youngblutt

**SUSPENSION OF STANDING ORDERS**

**GC6/4**

1658

Cr Brinsmead

Cr Youngblutt

**RESOLVED** that standing orders be suspended to deal with Items 18 and 28 of the Agenda.

**Voting - Unanimous**

**REPORT FROM DIRECTOR ENGINEERING SERVICES**

18. **Tweed Sporting Shooters Association - Use of Council's Duroby Quarry Quarries-Council-Duroby**

Cr James

Cr Luff

**PROPOSED** that this item be deferred until further information is made available to Councillors in regard to the suitability of the site.

**AMENDMENT**



# Minutes - Ordinary Meeting of Tweed Shire Council

1659

**Cr Brinsmead**

**Cr Lawrie**

**RESOLVED** that Council acknowledges the Tweed Sporting Shooters Association application and the applicant be advised to lodge a development application.

The Amendment was **Carried**

**Voting For**

Cr Beck  
Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

**Voting Against**

Cr James  
Cr Luff

The Amendment on becoming the Motion was **Carried**

**Voting For**

Cr Beck  
Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

**Voting Against**

Cr James  
Cr Luff

## **REPORT FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES**

- 28. Development Application K99/1624 - Proposed Construction of a Detached Brick Double Garage and Timber Pergola at Lot 464 DP 755740 Fingal Road, Fingal Head**

**DA2060/350**

1660

**Cr Boyd**

**Cr Marshall**

**RESOLVED** that this item be dealt with later in the meeting.

**Voting - Unanimous**

# Minutes - Ordinary Meeting of Tweed Shire Council

## ADJOURNMENT OF MEETING

GC6/4

Adjournment for dinner at 6.37pm.

## RESUMPTION OF MEETING

GC6/4

The Meeting resumed at 7.45pm.

**Cr Luff**

**Cr James**

**PROPOSED** that Council refuses Development Application K99/1624 for the proposed construction of a detached brick double garage and timber pergola at Lot 464 DP 755740 Fingal Road, Fingal Head as the proposed garage does not strictly comply with the provisions of Council's Development Control Plan No 5 - Development of Flood Liable Land.

The Motion was **Lost**

### Voting For

Cr Boyd  
Cr Carroll  
Cr James  
Cr Luff

### Voting Against

Cr Beck  
Cr Brinsmead  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

**1661**

**Cr Davidson**

**Cr Lawrie**

**RESOLVED** that conditions of approval be brought forward by the Director Environment & Community Services for consideration of Council.

### Voting For

Cr Beck  
Cr Brinsmead  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

### Voting Against

Cr Boyd  
Cr Carroll  
Cr James  
Cr Luff

# Minutes - Ordinary Meeting of Tweed Shire Council

## RESUMPTION OF STANDING ORDERS

GC6/4 308

1662

Cr Boyd

Cr Polglase

**RESOLVED** that Standing Orders be resumed.

**Voting - Unanimous**

### 10. Opening of Pottsville Beach Neighbourhood Centre

Pottsville Neighbourhood Centre

1663

Cr Marshall

Cr Davidson

**RESOLVED** that:

1. This report be received and noted.
2. Council's Strategic Planning, Health & Building and Works Unit be congratulated for their successful facilitation of the Pottsville Neighbourhood Centre through working co-operatively with all stakeholders in this project.

**Voting - Unanimous**

## REPORTS FROM DIRECTOR CORPORATE SERVICES

### 11. Conference Advice for Councillors

Councillors - Conference

1664

Cr Boyd

Cr Polglase

**RESOLVED** that:-

1. Council endorses Cr Boyd's attendance at the Southern Cross University Agribusiness Conference to be held from Monday, 3 to Wednesday, 5 July 2000.
2. Any other Councillors wishing to attend such conferences be granted approval.

**Voting - Unanimous**

### 12. Federal Court Actions - Telstra and Optus -v- Various Councils

Legal - Costs, Legal - Court Case, Telecommunications Policy

1665

Cr Polglase

Cr Luff

**RESOLVED** that Council contributes the amount of \$5,174.00, as requested, and such amount be debited to legal expenses.

# Minutes - Ordinary Meeting of Tweed Shire Council

## Voting For

Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Luff  
Cr Polglase

## Voting Against

Cr Beck  
Cr Lawrie  
Cr Marshall  
Cr Youngblutt

### 13. Tweed and Coolangatta Tourism Inc. (TACTIC) Monthly Performance Report - March 2000

TACTIC

1666

Cr Boyd  
Cr Davidson

**RESOLVED** that :-

1. This report be received and noted.
2. The grant instalment for the quarter of April, May and June be made to Tweed and Coolangatta Tourism Inc. (TACTIC) in accord with the Agreement.

**Voting - Unanimous**

### 14. Pledge Books for Commitments to Reconciliation

Aboriginal Matters

Cr Beck  
Cr Luff

**PROPOSED** that this item be received and noted.

**AMENDMENT**

1667

Cr Carroll  
Cr Boyd

**RESOLVED** that Council:-

1. Supports the Tweed Shire community in working towards the goal of reconciliation in 2000 and beyond.
2. Displays Pledge Books at its Tweed and Murwillumbah customer service points and promotes their availability for signing through the Tweed Link.

# Minutes - Ordinary Meeting of Tweed Shire Council

The Amendment was **Carried**

<b>Voting For</b>	<b>Voting Against</b>
Cr Boyd	Cr Beck
Cr Brinsmead	Cr Lawrie
Cr Carroll	Cr Marshall
Cr Davidson	Cr Polglase
Cr James	
Cr Luff	
Cr Youngblutt	

The Amendment on becoming the Motion was **Carried**

<b>Voting For</b>	<b>Voting Against</b>
Cr Boyd	Cr Beck
Cr Brinsmead	
Cr Carroll	
Cr Davidson	
Cr James	
Cr Lawrie	
Cr Luff	
Cr Marshall	
Cr Polglase	
Cr Youngblutt	

## 15. General Recreational Fishing Licence - Economic Implications

**Fisheries**

**1668**

**Cr Boyd**

**Cr Marshall**

**RESOLVED** that Council petitions the Premier and the Minister for Mineral Resources and Minister for Fisheries for the Tweed Shire to be:-

1. Designated a special economic zone because of its:-
  - a. geographic and community of interest links; and
  - b. economic and strategic relationship with South East Queensland.
2. Exempt from general recreational fishing licence requirements.

**Voting - Unanimous**

## 16. Tweed Economic Development Corporation (TEDC) Monthly Performance Report - April 2000

**TEDC**

**1669**

**Cr Boyd**

**Cr Marshall**

**RESOLVED** that this report be received and noted.

# Minutes - Ordinary Meeting of Tweed Shire Council

---

**Voting - Unanimous**

- 17. Monthly Investment Report for Period Ending 30 April 2000**  
**Monthly Investment Report**

**1670**

**Cr Boyd**

**Cr Marshall**

**RESOLVED** that this report be received and noted.

**Voting - Unanimous**

## **REPORTS FROM DIRECTOR ENGINEERING SERVICES**

- 18. Tweed Sporting Shooters Association - Use of Council's Duroby Quarry Quarries-Council-Duroby**

This item was dealt with at Minute No. 1659.

- 19. Chinderah Bay Marina Proposed Road Closure**

**GR3/12/6**

**1671**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** that this report be dealt with under the Confidential Agenda.

**Voting - Unanimous**

- 20. Tyalgum Water Supply**  
**Water Treatment-Tyalgum-Operate and Maintenance**

**1672**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** that this report be received and noted.

**Voting - Unanimous**

- 21. Pumpenbil Road**

**R4465**

**1673**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** that this report be received and noted.

**Voting - Unanimous**

# Minutes - Ordinary Meeting of Tweed Shire Council

## REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

### 22. Flight Paths Coolangatta Airport

Airport - Noise Issues

1674

Cr Boyd

Cr Luff

**RESOLVED** that Council:-

1. Conducts a Workshop on 14 June and Gold Coast Airports Limited be invited to make a presentation on the report "*Coolangatta Airport - Information on Arrivals from the South*".
2. Invites the Tweed residents of the Noise Abatement Committee to attend as observers.

**Voting - Unanimous**

### 23. Outdoor Dining Licence Fee - Imperial Hotel, Murwillumbah

PF3640/160

1675

Cr Boyd

Cr Davidson

**RESOLVED** that Council waives the required licence fee for the first two year period after the construction works have been completed, due to the public good.

#### **Voting For**

Cr Beck  
Cr Boyd  
Cr Brinsmead  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie  
Cr Luff  
Cr Polglase  
Cr Youngblutt

#### **Voting Against**

Cr Marshall

### 24. Dog Off Leash Exercise Areas

Companion Animals

1676

Cr Boyd

Cr Marshall

**RESOLVED** that the South Fingal/Kingscliff Beach off leash dog exercise area continues to operate and will be reviewed in December 2000 as previously resolved by Council.

**Voting - Unanimous**

## Minutes - Ordinary Meeting of Tweed Shire Council

**25. Sub-Lease of Twin Towns Youth Club Building, Reserve 58447  
Florence Street, Tweed Heads**

**PF2100/190 Pt2**

**1677**

**Cr Polglase  
Cr Marshall**

**RESOLVED** that Council, in its capacity as lessor of the Twin Towns Youth Club Building, situated on Reserve 58447 Florence Street, Tweed Heads consents to the Twin Towns Police & Community Youth Club sub-leasing the two rooms at the lower level at the rear of the main auditorium to the Tweed Heads Community Pre-school Incorporated for the same period as the land that is leased at the rear of the building for outdoor use.

**Voting - Unanimous**

**26. Honorary Rangers**

**Honorary Rangers**

**1678**

**Cr Polglase  
Cr Marshall**

**RESOLVED** that Council approves Mr Peter Hutton to operate as an Honorary Ranger for the term of Council.

**Voting - Unanimous**

**27. Off Leash Exercise Areas for Dogs**

**Companion Animals**

**1679**

**Cr Polglase  
Cr Marshall**

**RESOLVED** that Council approves the following areas for use as dog off leash exercise areas for a trial period of 12 months from 1 July 2000:-

1. Corowa Park - Corner of Cudgen Road and Terrace Street, Chinderah
2. Turnock Park - Corner of Cudgen Road and Wommin Bay Road, Chinderah
3. The riverbank reserve at the end of Old Ferry Road, Oxley Cove
4. The reserve on the corner of Naponyah Road and Bilambil Road, Terranora
5. Ducats Park - Ducat Street, West Tweed
6. The treed area within Arkinstall Park, South Tweed
7. The unnamed reserve on the corner of Darlington Drive and Amaroo Drive, Banora Point
8. The unnamed reserve at the bottom of Bushland Drive, Banora Point

**Voting - Unanimous**



## Minutes - Ordinary Meeting of Tweed Shire Council

---

- 28. Development Application K99/1624 - Proposed Construction of a Detached Brick Double Garage and Timber Pergola at Lot 464 DP 755740 Fingal Road, Fingal Head**

**DA2060/350**

This item was dealt with at Minute No. 1661.

- 29. State of the Arts 2000 - Far North Coast Regional Art Forum  
State of the Arts-Cultural Development**

**1680**

**Cr Polglase  
Cr Marshall**

**RESOLVED** that this report be received and noted.

**Voting - Unanimous**

- 30. Journal of the American Mosquito Control Association - Publication,  
Clive Easton and Allan Marshall**

**Noxious Pests**

**1681**

**Cr Polglase  
Cr Marshall**

**RESOLVED** that:-

1. This report be received and noted.
2. A letter of congratulations be forwarded to Mr Clive Easton & Mr Allan Marshall.

**Voting - Unanimous**

### **REPORTS FROM SUB-COMMITTEES**

1. **Minutes of the Tweed Shire Occupational Health & Safety Committee Meeting held 12 April 2000**  
**Occupation Health & Safety Committee**
9. **Rod Harper - Traffic Control Incident**  
**OH&S Committee**

**1682**

**Cr Luff  
Cr Marshall**

**RESOLVED** that the matter be taken up with the Shires Association, Local Member and Minister for Police to set realistic penalties for motorists who disobey traffic control directions.

**Voting - Unanimous**

## Minutes - Ordinary Meeting of Tweed Shire Council

---

1683

Cr Luff

Cr Marshall

**RESOLVED** that the balance of the Minutes of the Tweed Shire Occupational Health & Safety Committee Meeting be adopted.

**Voting - Unanimous**

2. **Minutes of the Companion Animal Committee Meeting held Monday 1 May 2000**

**Companion Animals**

9. **Regulatory Role**

**Companion Animals**

1684

Cr Boyd

Cr Luff

**RESOLVED** that Council advertises monthly, for the next six (6) months, through the Link the total number of Penalty Infringement Notices issued for dog offences.

**Voting - Unanimous**

1685

Cr Boyd

Cr Luff

**RESOLVED** that the balance of the Minutes of the Companion Animal Committee Meeting be adopted.

**Voting - Unanimous**

3. **Minutes of the Local Traffic Committee Meeting held 27 April 2000**

**GT2/1 Pt3 451**

19. **Coast Road, Cabarita Beach**

**R1181 Pt9 752**

1686

Cr James

Cr Marshall

**RESOLVED** that:

1. A marked zebra crossing be installed on the Coast Road at the existing pedestrian refuge just north of Pandanus Parade.
2. The existing "No U turn" signage on Coast Road near the Post Office be upgraded to a larger size.

**Voting - Unanimous**

# Minutes - Ordinary Meeting of Tweed Shire Council

## 4. Intersection of Bilambil Road and Terranora Road

R5431 Pt3 & R5441

1687

Cr James

Cr Marshall

**RESOLVED** that Give Way line marking be provided on Bilambil Road at the intersection with Terranora Road.

**Voting - Unanimous**

### PART A

#### 1. Coast Road, Pottsville

R1181 Pt9

1688

Cr James

Cr Marshall

**RESOLVED** that:-

1. A 60kph repeater sign be installed north of the threshold for Mooball Creek Bridge on Coast Road.
2. A "Reduce Speed" sign be installed facing northbound traffic south of Mooball Creek Bridge.

**Voting - Unanimous**

#### 6. Kirkwood Road, Tweed Heads South

R2920 Pt2 Speed Zones

1689

Cr James

Cr Marshall

**RESOLVED** that a 40kph 'School Zone' be provided on Kirkwood Road.

**Voting - Unanimous**

#### 7. Pearl Street, Kingscliff

R4170 Speed Zones

1690

Cr James

Cr Marshall

**RESOLVED** that the school bus zone on the eastern side of Pearl Street be relocated to north of the school crossing.

**Voting - Unanimous**

#### 8. Kennedy Drive and Gray Street Tweed Heads West (Pedestrian Crossing)

R2300 & R2830

1691

Cr James

## Minutes - Ordinary Meeting of Tweed Shire Council

**Cr Marshall** **RESOLVED** that the Applicant be advised that the pedestrian crossings cannot be located between the bus shelters due to the need for an associated "No Stopping" zone impacting on the bus zone and if located between the bus zones insufficient sight distance precludes a pedestrian crossing.

**Voting - Unanimous**

**9. Kennedy Drive Pedestrian Crossing (east of the traffic signals at Ducat Street)**

**R2830**

**1692**

**Cr James**

**Cr Marshall**

**RESOLVED** that:-

1. The pedestrian crossing be removed on Kennedy Drive outside the Endless Summer Shopping Centre when funds permit.
2. The RTA be requested to fund the removal of the pedestrian crossing.

**Voting - Unanimous**

**11. Dry Dock Road between William and Lloyd Streets**

**R1680 Pt2**

**1693**

**Cr James**

**Cr Marshall**

**RESOLVED** that a pedestrian refuge be provided at an appropriate location between William and Lloyd Street on Dry Dock Road when funds are available.

**Voting - Unanimous**

**12. Dry Dock Road Jetty - Car Parking Area**

**Boat Ramps Car Park - TH**

**1694**

**Cr James**

**Cr Marshall**

**RESOLVED** that the Applicant be advised that the Committee supports the provision of speed bumps being provided at the Dry Dock Road Jetty Car Parking area in appropriate locations with suitable warning signage which could be provided when funds are available.

**Voting - Unanimous**

**14. Boyd Street Traffic Lights**

**R5901 & R700**

**1695**

**Cr James**

**Cr Marshall**

**RESOLVED** that the Applicant be advised that:-

## Minutes - Ordinary Meeting of Tweed Shire Council

1. "Traffic Signals Ahead" warning signs on both approaches to the Boyd Street lights be installed.
2. The driveway from Scotts Market Basket into the left turn lane on Wharf Street be investigated with a view to its removal or some method of preventing traffic blocking the left turn lane.
3. A "Merging Traffic Ahead" sign be installed on the slip lane from Kennedy Drive on to Wharf Street, if not already installed.
4. The reduction in speed signage is not supported as the roads are major distributor roads.

### Voting - Unanimous

#### 15. Terranora Road, Terranora

**R5431 Pt3**

1696

Cr James

Cr Marshall

**RESOLVED** that Council and RTA staff undertake an assessment in accordance with the RTA Road Design Guide for Installation of Guardrails near the rear boundary of 15 Parkes Lane on Terranora Road.

### Voting - Unanimous

#### 16. Brisbane Street and Proudfoots Lane, Murwillumbah - Car Parking

**R0760 & R4455**

1697

Cr James

Cr Luff

**RESOLVED** that this item be deferred to enable consultation with officers from Australia Post.

### Voting - Unanimous

#### 17. Commercial Road, Murwillumbah - Car Parking

**R1250**

1698

Cr James

Cr Marshall

**RESOLVED** that:-

1. The "No Stopping" signs outside the Aussie Hotel be relocated to gain an extra parking space.
2. At the corner of Commercial Road and Wharf Street the left turn lane be deleted as it is not utilised and replaced with two hour parking.

### Voting - Unanimous

## Minutes - Ordinary Meeting of Tweed Shire Council

### 18. Wollumbin Street, Murwillumbah - Car Parking

R5940

1699

Cr James

Cr Marshall

**RESOLVED** that the conversion of the two hour parking spaces to 15 minute spaces adjacent to the cake shop on Wollumbin Street is not supported as it is too difficult to enforce.

**Voting - Unanimous**

1700

Cr James

Cr Marshall

**RESOLVED** that the balance of the Minutes of the Local Traffic Committee Meeting be adopted.

**Voting - Unanimous**

### OUTSTANDING INSPECTIONS

GC6/13 Pt4

Nil

### ORDERS OF THE DAY

#### 1. Notice of Rescission - Cr James, Cr Luff and Cr Carroll

##### Draft Tweed Local Environmental Plan

Notice of Rescission, GT1/LEP/1998 Pt5

Cr James

Cr Luff

**PROPOSED** that Council resolution at Minute No 1626 in relation to an Urgency Motion 4b of the Meeting held 3 May 2000 being:-

".....that the Director Development Services brings forward a report to the meeting of 17 May 2000 to enable Council to consider the preparation of a Draft LEP to address the issues in Council's resolution of 22 December 1999 being:

- all land zoned Rural 1(a), 1(b) and 1(c);
- all land zoned Environmental Protection 7(a), 7(l), 7(f) and 7(d);
- the land zoned 2(f) indicated by Figure 1; and
- clauses 4.1, 4.2, 6.0, 6.1, 6.3 and 7.0

In Rural 1(a), 1(b), 1(c) areas:

1. (a) Agricultural Viability Study, when completed.  
(b) Peasley's horticultural study already done - supports smaller subdivision areas.
2. Rural Settlement Strategy, when completed.
3. The identification of more industrial land - probably to come from Rural zoning
4. Resolution of disputes over zoning boundaries between Agricultural Protection and 1(a).

# Minutes - Ordinary Meeting of Tweed Shire Council

5. TEDC submission in respect of exhibited DLEP  
In Environmental Protection 7(a), 7(l), 7(f), 7(d) areas:
1. Vegetation Management Plan now on public display - but yet to be finalised.
  2. Resolution of boundary disputes between zonings.
  3. Investigation of the 40ha area as to whether it is a feasible management area.
  4. Tweed Scenic Landscape Evaluation.
- In 2(f) area applying to Seaside City.  
**be rescinded."**

The Motion was **Lost**

## Voting For

Cr Boyd  
Cr Carroll  
Cr James  
Cr Luff

## Voting Against

Cr Beck  
Cr Brinsmead  
Cr Davidson  
Cr Lawrie  
Cr Marshall  
Cr Polglase  
Cr Youngblutt

## 2. Notice of Rescission - Cr James, Cr Luff and Cr Carroll Code of Meeting Practice

### Notice of Rescission, Council Meetings, Council Policies

**Cr Luff  
Cr Carroll**

**PROPOSED** that Council resolution at Minute Nos 1619 and 1620 in relation to Item 2 (Orders of the Day) of the Meeting held 3 May 2000 being:-

".....that Council incorporates the following into its Code of Meeting Practice:-

1. No item in the Business Papers and no attachment thereto (Development Control Plans, s94 Plans, Conditions of Consent, General Manager's Quarterly Report and the like excepted) is to individually exceed twenty (20) pages in length, and no item is to be split to circumvent this restriction.
2. Unless established to the reasonable satisfaction of the General Manager, and then only in a case of great urgency, no item will be considered by Council unless a minimum of three (3) clear days' notice is given.
3. All attachments to the Business Paper are to be paginated and indexed, and page referenced in the relevant item in the Business Papers, or alternatively tab indexed.
4. All late arriving/departing correspondence and all memoranda relevant to a matter in the Business Papers, is to be immediately communicated to all Councillors unless there is compelling reason(s) for departure from this rule.
5. No matter is to be unreasonably held back by Council's staff so as to cause a matter to become urgent. An explanation for any departure from this rule will be provided by the General Manager.

# Minutes - Ordinary Meeting of Tweed Shire Council

- 6. Workshops will not be held more than twenty-one (21) days before the matter the subject of same, is considered by Council.
- 7. Items relating to Development Applications are to clearly indicate the options available to Council, including the concise, practical and legal ramifications of each option.
- 8. Suggested amendments to a previous draft Development Control Plan, s94 Plan, Conditions of Consent and the like are to be incorporated into the complete document (by italics or underlining) to enable the amendments to be read in context.

**be rescinded."**

The Motion was **Lost**

<b>Voting For</b>	<b>Voting Against</b>
Cr Boyd	Cr Beck
Cr Carroll	Cr Brinsmead
Cr Davidson	Cr Lawrie
Cr James	Cr Marshall
Cr Luff	Cr Polglase
	Cr Youngblutt

## URGENCY MOTION

**GC6/4 308, DA2219/25 Pt1**

**1701**  
**Cr Davidson**  
**Cr Beck**

**RESOLVED** that the General Manager prepare a report on the costs and benefits of selling the Agenda 21 'smart house' and leasing back for 12 months, 24months or 36 months.

**Voting - Unanimous**

## QUESTION TIME

Nil

## TEMPORARY ABSENCE FROM MEETING

**GC6/1/2 Pt1**

Cr Brinsmead left the meeting.

## COMMITTEE OF THE WHOLE

**GC6/16 Pt2**

**1702**  
**Cr Davidson**  
**Cr Polglase**

**RESOLVED** that Council resolves itself into a Confidential Committee of the Whole.

**Voting - Unanimous**



# Minutes - Ordinary Meeting of Tweed Shire Council

The General Manager reported that the Confidential Committee of the Whole had excluded the press and public from the whole of the Committee Meeting because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reason of the confidential nature of the business to be transacted, and made the following recommendations to Council:-

## ITEMS DEFERRED IN COMMITTEE

2. **Possible Acquisition of Land Surrounding Lake Kimberley - Development Application K99/1682 - Proposed 8 Lot Subdivision of Lot 117 DP 879797 Darlington Drive/Winders Place, Banora Point - Bradshaw Development Pty Ltd**

**DA5937/740 Pt2**

This item was dealt with at Minute No. 1648 in the Ordinary Agenda.

## REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

### REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

1. **Chinderah Bay Marina Proposed Road Closure**

**GR3/12/6**

*Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)*

- (d) *commercial information of a confidential nature that would, if disclosed:*
- (i) *prejudice the commercial position of the person who supplied it, or*
  - (ii) *confer a commercial advantage on a competitor of the council, or*
  - (iii) *reveal a trade secret*

C181

That :-

1. Council approves:-
  - a. An application to close part of Chinderah Bay Drive as described in diagram 1 (1823m<sup>2</sup>) and subject to this closure being approved, the land be sold to Mr Patrick A and Mrs Susanne Harford for the purchase price of \$90,000.
  - b. An application to close part of Chinderah Bay Drive as described in diagram 2 (1525m<sup>2</sup>) and, subject to subdivision approval and road closure, that the land as described in diagram 3 (412m<sup>2</sup> in three parts) be sold to Mr Patrick A and Mrs Susanne Harford for the purchase price of \$140,000.00.
  - c. The leasing to Mr Patrick A and Mrs Susanne Harford of those areas as described in diagram 5 (1113m<sup>2</sup> in 4 parts) under the terms as outlined, within this report, by the State Valuation Office.
2. The transfer of the lands in items 1, 2 & 3 be subject to:-
  - a. the preparation of an appropriate legal agreement to ensure performance criteria as outlined in this report is met, and

# Minutes - Ordinary Meeting of Tweed Shire Council

- b. the preparation of contracts of sale.
3. All legal and survey costs to be borne by the applicant.
4. Easements to be created where necessary on any public utilities.
5. Restrictions to user be created to cover car parking and pedestrian access as outlined in this report.
6. All documentation be executed under the Common Seal of Council.

## Voting - Unanimous

1703

Cr James  
Cr Luff

**RESOLVED** that the report and recommendations of the Confidential Committee of the Whole be adopted.

## Voting - Unanimous

### Press Statement - Rates Exemption for Vacant Aboriginal Land Aboriginal Matters, Rates Payments

1704

Cr Boyd  
Cr Polglase

**RESOLVED** that the General Manager writes to the Local Government and Shires Association expressing grave concern with the Deputy Premier and Minister for Aboriginal Affairs press statement regarding Council rates exemption for vacant Aboriginal land.

## Voting - Unanimous

There being no further business the Meeting terminated at 9.30pm.



## Minutes of Meeting Confirmed by Council

### at Meeting held

**I hereby certify that I have authorised the affixing of my  
electronic signature to the previous pages numbered 1 to 34 of these Minutes**

\_\_\_\_\_  
Chairman