

Minutes - Meeting of Tweed Shire Council

IN ATTENDANCE

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

Also present were Dr John Griffin (General Manager), Mr Mike Rayner (Director Engineering Services), Mr David Broyd (Director Development Services), Mr Don Buckley (Director Environment & Community Services), Mr Ian Carpenter (Director Corporate Services), Mr Brian Donaghy (Manager Administration Services/Public Officer) and Mrs Kerrie McConnell (Minutes Secretary).

Cr Boyd, Cr Carroll, Cr Luff, Cr Marshall were not present at the commencement of the meeting.

The meeting opened with a Prayer by Council's Chaplain, Reverend Ian Hartland.

*"For to us a child is born,
to us a Son is given,
and the government will be on his shoulders.
And he will be called*

*Wonderful Counsellor, Mighty God,
Everlasting Father, Prince of Peace."*

(Isaiah 9:6)

Eternal God, we celebrate again the birth of Jesus in Bethlehem. In Him we see the fullness of Your love for us and all the world. In Your love, Lord, guide us through our meeting today.

In the busyness of our lives, grant us Your presence and peace. Give us wisdom and grace to make our decisions with integrity in the matters before us. May we truly represent those who have elected us and called us to our role as Councillors of the Shire.

Loving God, Grant Your blessing to the Councillors and the Executive staff and their families at this Christmas-time. Let Your presence fill this chamber; for we ask it in the Name of Jesus Christ our Lord. Amen."

CONFIRMATION OF MINUTES

608

Cr Lawrie

Cr Polglase

RESOLVED that the Minutes of the Ordinary Meeting held 6 December 2000 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

ABSENT

Nil

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Address by Mr Grant Perriott, Co-ordinator of North Tumbulgum Riparian Corridor Project

Tweed River Management Plan

Mr Grant Perriott presented to Council the RiverCare 2000 Bronze Award for the North Tumbulgum Riparian Corridor Project.

DISCLOSURE OF INTEREST

Nil

ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil

SCHEDULE OF OUTSTANDING RESOLUTIONS

609

Cr Polglase

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

1. Compliments of the Season

This item was received and noted.

Councillors General

2. Australian Wheelchair Dance Academy

This item was received and noted.

Appreciation

Adoption of Mayoral Minute

610

Cr Beck

RESOLVED that the Mayoral Minute as presented be adopted.

Voting - Unanimous

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ITEMS DEFERRED

1. **Deferred Matter - Extensions to Kingscliff Village Shopping Centre at Lot 20 DP 771632, Lots A & B DP 396088 and Lot 2 DP 582165 Pearl Street, Kingscliff DA4170/100 Pt3**

611

Cr James

Cr Youngblutt

RESOLVED that this item be dealt with at Item 2 of the agenda.

Voting – Unanimous

ATTENDANCE AT MEETING

Cr Marshall and Cr Boyd attended the meeting at 2.10pm.

MAYORAL MINUTE

4. **Councillors' Phone Numbers in Link**

Councillors General

612

Cr James

Cr Youngblutt

RESOLVED that the Editor of the Tweed Link be asked to publish Councillors phone numbers three times per year in the Tweed Link, provided individual Councillors agree.

Voting - Unanimous

ORDERS OF THE DAY

4. **Kingscliff Tourism Site, South Kingscliff (Lot 490)**

Notice of Motion, DA1190/115-S Pt1

613

Cr Brinsmead

Cr Youngblutt

RESOLVED that Council endorses resolution DA1190/115-5 Pt 1 of the Tweed Coast Reserves Trust meeting of 13 December 2000 which states:-

The Tweed Coast Reserves Trust replies to the Regional Director of the Department of Land and Water Conservation saying that the Trust is willing to be involved in the care and management of Lot 490 only on the clear understanding and condition that:

1. The Trust's management role is not effectively taken over by self-appointed committees and government bureaucrats whereby the Trust is relegated to the role of a rubber stamp for decisions made elsewhere.
2. The Trust, in conjunction with State Government departments, including DSARD and DUAP, be involved in the entire planning and decision making process, ie. The

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appointment of consultants, the evaluation of all Expressions of Interest in the land, planning requirements and constraints, community consultations, etc.

Voting For

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

Voting Against

Cr Boyd
Cr James

5. Kingscliff Tourism Site, South Kingscliff (Lot 490)

Notice of Motion, DA1190/115-S Pt1

614

Cr Brinsmead

Cr Youngblutt

RESOLVED that in response to Local Member, Mr Neville Newell's remarks in the NSW Parliament (as reported in Hansard on 22 November 2000), the Council informs the Local Member what the General Manager said in response to Questions put to him in open Council on 6 December 2000, namely that:

1. The Tweed Shire Councillors, acting as Trustees in the Tweed Coast Reserves Trust, do not, as the Local member stated, have a conflict of interest in any aspect of their management of the former Tourism NSW site (Lot 490 DP 47021) at South Kingscliff according to their responsibilities under the Act.
2. No Council officer, Councillor or prospective developer has acted improperly in respect of an expression of interest in Lot 490.
3. Council therefore urges the Local Member to cease what some may see as a vendetta against the new Council, and to gracefully accept that the new Council has been lawfully elected by the people of Tweed. Council further expresses its desire that in the New Year the elected members of Council and the elected Local Member will put aside all acrimony and work together in a spirit of goodwill and mutual respect.

The Motion was **Carried**

Voting For

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

Voting Against

Cr Boyd
Cr James

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REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

1. Strategic Planning Work Program

Strategic Planning Program

615

Cr Polglase

Cr Davidson

RESOLVED that:-

1. Council's Strategic Planning Work Program for the period to June, 2001 comprises the following:

High Priority:

1. Tweed Local Environmental Plan 2000 review – implement the Council resolution of 17 May, 2000 and concentrate on Vegetation Management Plan.
2. Housing: Review of Residential Development Strategy – including a rural settlement component; Housing Strategy based on DUAP funded position and finalisation of dual occupancy policy.
3. Economic Development Strategy – including Industrial Land Policy Implementation.
4. Kingscliff Town Plan – DCP.
5. LEP Amendments – Black Rocks, “Area E”, Terranora, Chinderah Foreshore.
6. Social Planning (integration of Social Plan and Community Facilities Infrastructure Plan; Banora Point Community Centre).
7. S94 Plans (particularly Community Facilities and Open Space).
8. DCP – Social Impact Assessment.
9. Kings Forest/Kings Beach planning framework comprising Kings Forest LES, DCP and S94 Plan; Kings Beach Strategic Policy, S94 Plan and Seaside City review.

Medium Priority:

10. Tweed Heads Development Control Plan.
11. LEP Amendment No 40 – Hansen Property, Bogangar.

2. Council:

- (a) Informs the Regional Director of the Department of Urban Affairs and Planning that in accordance with S54 of the Environmental Planning and Assessment Act it is proposed to prepare a draft Local Environmental Plan Amendment to adjust the zone boundary between Zone 4(a) and 3(d) at Lot 9, DP 830659;
- (b) Informs the Regional Director that it does not consider an Environmental Study is required;
- (c) Requires the proponent to fund a planning consultant to prepare the Draft Amendment.

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3. Council advertises for a Strategic Planning (permanent position) at Grade 6 or 7 to resource the Strategic Planning Work Program.

Voting - Unanimous

2. **Extensions to the Kingscliff Village Shopping Centre at Lot 2 DP582165 No. 28 Pearl Street, Kingscliff**

DA4170/100 Pt3

616

Cr Youngblutt

Cr Marshall

RESOLVED that Development Application K99/1731 for extensions to the Kingscliff Village Shopping Centre at Lot 2 DP 582165 No. 28 Pearl Street, Kingscliff, be approved subject to the following conditions:-

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

1. (i) Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

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: \$305,630.00

S94 Plan No. 4 (Version 4.0)

(Kingscliff – Commercial)

- b. Extensions to Council Administration Offices

& Technical Support Facilities \$610.56

S94 Plan No. 18

GENERAL

2. The development shall be completed in general accordance with Plan Nos AR101 Rev C, AR102 Rev C, AR103 Rev C, AR105 Rev A, AR106 Rev B, EX101 Rev B, EX102

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Rev B prepared by Fulton Trotter Moss and dated 11/12/00 and Drawing No. L0144/01 prepared by GeoLINK Pty Ltd dated 7/12/00, except where varied by these conditions.

3. No works associated with the development are to encroach onto Lot 13 DP 871753 Turnock Street, Kingscliff.
4. 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.
5. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
6. This consent does not grant approval or imply in principle approval for the Stage 2 concept submitted. Any application to carry out Stage 2 would be assessed on the merits of the application at the time.
7. 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.
8. The use being restricted to the floor area designated on the approved plan.
9. Landscaping of the site shall be carried out in accordance with the submitted landscaping plans. The landscaping to be completed prior to occupation of the building, to the satisfaction of the Director, Development Services.
10. The provision of 249 off street car parking spaces. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.
11. Advertising structures/signs to be the subject of a separate development application, where statutorily required.
12. Submission of a further Development Application(s) for the first use of the shops and professional suites, such to be approved by Council prior to their use or occupation.
13. All retaining walls in excess of 1.2 metres in height must be certified by a Qualified Structural Engineer verifying the structural integrity of the retaining wall after construction.
14. No items or goods are to be stored or displayed outside the confines of the premises.
15. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction.
16. A schedule of colours and finishes for all new buildings is to be submitted to and approved by the Director of Development Services prior to the issue of the construction certificate.

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17. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.
18. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
 - a. footings, prior to pouring of concrete
 - b. slab, prior to pouring of concrete
 - c. frame prior to the erection of brick work or any wall sheeting
 - d. final inspection prior to occupation of the building
 - e. completion of work

19. All necessary on site boundary retaining shall be carried out prior to start of works upon the building proper, with details of retaining walls being submitted to Council for approval prior to start of works.

Please note: Timber retaining walls will not be accepted.

20. The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:
 - (i) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and
 - (ii) Certification of the works performed by the person carrying out the works is to be submitted to the PCA prior to occupation of the building; and
 - (iii) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-
 - (A) the method of protection; and
 - (B) the date of installation of the system; and
 - (C) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - (D) the need to maintain and inspect the system on a regular basis.

Note: Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.

21. In the event that Council is not utilised as the inspection/Certifying authority, within seven (7) days of building works commencing on the site a Compliance Certificate in the prescribed form is to be submitted to Council together with the prescribed fee, by the nominated principal certifying authority to certify the following:

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- i. All required erosion and sedimentation control devices have been installed and are operational.
 - ii. Required toilet facilities have been provided on the site in accordance with Section 78i of the Environmental Planning & Assessment Amendment Regulations 1998.
 - iii. A sign has been erected on the site in accordance with Section 78H of the Environmental Planning & Assessment Amendment Regulations 1998.
 - iv. All conditions of consent required to be complied with prior to work commencing on the site have been satisfied.
 - v. That the licensee has complied with the provisions of Section 78c of the Environmental Planning and Assessment Amendment Regulations 1998.
22. The glazier is to supply the PCA with certification that all glazing complies with AS 1288-1994 and AS2047 of the Building Code of Australia.
23. In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.
24. All trade materials, product and plant to be kept within confines of the building at all times.
25. In accordance with Section 109F(i) of the Environmental Planning & Assessment Act, 1979 (as amended), a construction certificate for **SUBDIVISION WORKS OR BUILDING WORKS** shall **NOT** be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act, 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment.

PRESCRIBED (BUILDING)

26. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided must be:-
- (a) a standard flushing toilet connected to a public sewer, or
 - (b) if that is not practicable, an accredited sewage management facility approved by the council, or
 - (c) if that is not practicable, any other sewage management facility approved by the council.
27. A sign must be erected on the site in a prominent, visible position stating:

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- a. that unauthorised entry to the work site is prohibited; and
 - b. showing the name of the builder, or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.
28. It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied.
29. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
30. The erection of a building in accordance with a development consent must not be commenced until:
- a. detailed plans and specifications of the building have been endorsed with a construction certificate by:
 - (i) the consent authority; or
 - (ii) an accredited certifier; and
 - b. the person having the benefit of the development consent:
 - (i) has appointed a Principal Certifying Authority; and
 - (ii) has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and
 - c. the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.
31. A person must not commence occupation or use of the whole or any part of a new building (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units)
32. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.
33. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.

FIRE (BUILDING)

34. All fire service connections are to be compatible with those of the NSW Fire Brigade.

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DISABLED (BUILDING)

35. Please note that while the proposal, subject to the conditions of approval, may comply with the provisions of the Building Code of Australia for persons with disabilities your attention is drawn to the Disability Discrimination Act which may contain requirements in excess of those under the Building Code of Australia. It is therefore required that these provisions be investigated prior to start of works to determine the necessity for them to be incorporated within the design.
36. Access to the building for disabled persons shall be provided and constructed in accordance with the requirements of Part D3 of the Building Code of Australia and Australian Standard AS 1428.1.
37. Prominently displayed signs and symbols must be provided to identify for disabled persons all routes and areas where architectural barriers do not exist. Such access must comply with the requirements of Australian Standard AS 1428 Parts 1 and 2.
38. If access for the disabled is required under Part D3 of the Building Code of Australia, facilities for the use of the disabled shall be provided as specified in Part F2.4 of the Building Code of Australia and shall be constructed to the requirements of Australian Standard AS1428.1.
39. Tactile ground surface indicators for orientation of people with vision impairment are to be provided in accordance with Australian Standard AS1428.4-1992.
40. Disabled car parking spaces are to be provided at the rates provided for under Part D3.5 of the Building Code of Australia and constructed in accordance with Australian Standard AS2890.1.

FOOD PREMISES

41. Any premises used for the storage, preparation or sale of food are to comply with the relevant provisions of the Food Act, 1989 and Council's adopted Code for the construction of Food Premises. Details of fittings and equipment are to be submitted to the Principal Certifying Authority prior to installation.
42. All walls in the food preparation and food storage areas shall be of solid construction, easily washable, lightly coloured and tiled to a height of at least 2 metres above floor level, or where not tiled, cement rendered to provide a smooth even finish to ceiling. **Note:** Stud framed walls will not be acceptable. Intersections of all floors with walls shall be covered to a radius of not less than 25 millimetres.
43. All flooring materials in the food preparation and storage areas are to be impervious, non slip, non abrasive and capable of withstanding heavy duty operation. Where tiling is to be used epoxy grout finished flush with the floor surface is to be used in joints or alternatively all tiles are to be butt joined and free of cracks or crevices.

SEWER

44. Sewer main within site is to be accurately located and the Principal Certifying Authority advised of its location and depth prior to start of any building works.

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45. The building is to be sited at least one metre horizontally clear of sewer main on site. All footings and slabs within the area of influence of the sewer main are to be designed by a practising Structural Engineer. The engineer is to submit a certification to the Principal Certifying Authority that the design of such footings and slabs will ensure that all building loads will be transferred to the foundation material and will not effect or be affected by the sewer main.
46. **Note:** Sewer manhole is present on this site. This manhole is not to be covered with soil or other material or concealed below ground level.

Should additional fill be proposed in the area of the sewer manhole Council's Engineering Services Division must be consulted and suitable arrangements made for the raising of the manhole to the satisfaction of Council's Manager Public Utilities.

ENVIRONMENT PROTECTION

47. Suitable covering and protection is to be provided to ensure that no material is removed from the site by wind, causing nuisance to neighbouring properties.
48. 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.
49. 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.
50. All necessary precautions shall be taken to minimise impact from dust during filling operations from the site and also from construction vehicles.
51. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.
52. The burning of builders waste on site by open fire is prohibited.
53. Prior to commencement of works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.

Erosion and sediment control shall be in accordance with *the "Tweed Urban Stormwater Quality Management Plan"* (adopted by Council 19 April 2000) section 5.5.2 "Stormwater Objectives During the Construction Phase of New Development". This section requires all new development to comply with Appendix E of the Plan "*Tweed Shire Council Aus-Spec D7 - Stormwater Quality*" and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond has been released.

54. Owners of buildings served by plant involving the operation of "cooling towers", "evaporative condensers" or "tepid water systems" must submit to Council, half yearly, a report detailing the maintenance, cleansing and chemical treatment of such plant every three (3) months in accordance with Part 6 of the NSW Public Health Act.

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55. Any proposed cooling tower installation must also include details on the proposed means of back flow prevention to the water supply prior to installation.
56. 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.
57. All activities associated with the occupancy of the building are to comply with the Protection of the Environment Operations Act, 1997.
58. Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.
59. Except as may be expressly provided in the approval, the approval holder must comply with section 120 of the Protection of the Environment Operations Act 1997 prohibiting the pollution of waters.
60. The LA10 noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz – 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends.

PLUMBING & DRAINAGE

61. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
 - a. internal drainage, prior to slab preparation;
 - b. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
 - c. external drainage prior to backfilling.
 - d. completion of work.
62. A. A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.

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- B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.
63. An application to connect to Council's sewer is to be submitted to and approved by Council prior to the commencement of any works on the site.
64. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
65. Temperature and pressure relief lines from hot water systems shall discharge in the open as prescribed in Australian Standard AS 3500.4.1990 Section 4.12.3.
66. Where two (2) or more premises are connected by means of a single house service pipe, the owner of each premises must (*unless all the premises are occupied by a single household or firm as a residence or place of business*) ensure that a separate water meter, of a class and size approved by Council, is installed on each of those premises.
67. Back flow prevention devices shall be installed where ever cross connection occurs or is likely to occur. The type of device shall be determined in accordance with AS 3500.1 and shall be maintained in working order and inspected for operational function at intervals not exceeding 12 months in accordance with Section 4.7.2 of this Standard.
68. Yard gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.
69. Where fire service is on a metered supply the water supply pipe work reticulation shall be installed so as to comply with Figure E1.4 of the Building Code of Australia.
70. Prior to commencement of building works provide hydraulic drawings on the proposed sewer drainage systems including pipe sizes, details of materials and discharge temperatures.
71. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-
- * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
 - * 50⁰C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

72. A backflow containment device will be installed adjacent to Councils water meter installation at the property boundary in accordance with AS3500. The device is to be maintained in accordance with the provisions of AS3500 by the owner of the property at the owners expense.

TRADE WASTE

73. Any premises proposing to discharge into Councils sewerage system a waste water other than domestic sewage, shall submit to Council a completed application for a Trade

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Waste Licence. This application is to be approved by Councils Manager Water and concurrence received from the Department of Land and Water Conservation, if required, PRIOR to the issuing of a Construction Certificate to discharge to Councils sewerage system.

74. A hose tap shall be provided adjacent to a grease arrester for cleaning purposes and shall be fitted with a RPZD for the purpose of back flow prevention.
75. Three copies of detailed hydraulic plans shall be submitted with all trade waste applications showing size, type and location of pre-treatment devices. Including all plumbing and drainage installations to these devices which shall comply with AS3500.
76. Trade Waste application fee will be applicable as per Councils Fees and Charges.

ROADS/STREETS

77. The provision of adequate vehicular access in accordance with Council's "Vehicular Access to Property Construction Specification" pamphlet, including the provision of an invert crossing at the kerb and gutter where required and paving of the driveway across the footpath to the front alignment to the satisfaction of the Director, Engineering Services. Twenty four (24) hours notice is to be given to Council's Engineering Services Division before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the vehicular access and its reconstruction. Paving bricks are not acceptable unless laid on a 100mm thick concrete base.
78. The concrete driveway across the footpath is to be 200 millimetres thick minimum and reinforced with F82 mesh with 40mm cover.
79. The driveway is to be constructed 5 metres wide at the property boundary and 9 metres wide at the kerb line with a uniform taper if a splay is specified.
80. A channelised right turn lane is to be constructed on Turnock Street at the site access road intersection. The work is to include raised central islands, pavement widening, linemarking and street lighting. A detailed design complying with Austroads Standards is to be submitted and approved by the Director of Engineering Services prior to the issue of a Construction Certificate.
81. A splay corner 4m long on each boundary on the corner of Pearl Street and Turnock Street is to be dedicated at no cost to Council as public road to facilitate future intersection upgrading.
82. The central island in condition 80 above is to be extended from the access road to the service/delivery bay driveway access to prevent right turn movements into the angle parking spaces on Turnock Street.
83. The angle parking is to be designed and constructed in accordance with Austroads Guide to Traffic Engineering Practice Part II and detailed design plans are to be submitted to and approved by the Director of Engineering Services prior to construction.

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84. A 3.0 metre wide right of way for public pedestrian access is to be created at no cost to council over the site adjoining Turnock Street from the western boundary to 10m east of the site access road prior to the issue of a occupation certificate.
85. The disabled access spaces are to include pram ramps in accordance with Council's standard drawing.
86. A pedestrian refuge within Turnock Street is to be provided east of the Turnock Street entrance to the development. The refuge may be provided within the median for the right turn bay.
87. A 1.2 metre concrete footpath is to be constructed from Pearl Street to the access road including a transition area to a 3 metre wide full width concrete path from the access driveway to the western boundary where a transition area back to the public road reserve is required. Details of the design are to be submitted to the satisfaction of the Director of Engineering Services prior to issue of the construction certificate.
88. All pedestrian pathways across internal driveways are to be on a raised platform complying with relevant standards.
89. A pedestrian right of way is to be created in favour of Lot 13 DP 871753 over the south eastern pedestrian linkage prior to the issue of a final occupation certificate.
90. A speed bump is to be installed on the delivery/service dock access road adjacent to the pedestrian travel path.
91. The kerb lines between spaces 102 and 103 and space number 105 to the corner of the unit site are to be realigned to better guide traffic to the satisfaction of the Director of Engineering Services.
92. Car spaces 85 to 87 are to be constructed of a Ochre AC colour and designated as short term stay parking spaces. Signage is to be erected restricting parking to a 2 minute maximum.
93. A bus shelter is to be constructed at the Turnock Street bus zone including full width concrete paving in this location. The bus shelter is to be set behind the property boundary line and is to comply with Councils specifications for bus shelters.
94. The Turnock Street access is to be constructed as an at grade intersection using kerb returns.

DRAINAGE/FLOODING

95. Erosion and Sediment Control During the Construction Phase of Development
 - (a) Construction phase stormwater quality treatment (erosion and sediment control) shall be designed and constructed in accordance with detailed engineering plans to be submitted and approved with the Construction Certificate. Erosion and sediment control shall be in accordance with the "*Tweed Urban Stormwater Quality Management Plan*" (adopted by Council 19 April 2000) section 5.5.2 "Stormwater Objectives During the Construction Phase of New Development".

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This section requires all new development to comply with Appendix E of the Plan “*Tweed Shire Council Aus-Spec D7 - Stormwater Quality*” and its Annexure A - “Code of Practice for Soil and Water Management on Construction Works”. Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond (if required) has been released.

- (b) The Construction Certificate Application must include a detailed erosion and sediment control plan (ESCP) for the construction phase of development, prepared in accordance with Section D7.07 of *Tweed Shire Council Aus-Spec D7 - Stormwater Quality*.
96. All fill is to be graded so that it drains to the street or other approved permanent drainage system and where necessary, perimeter drainage is to be provided to ensure minimal impact on adjoining properties. If filling is required, a plan of proposed drainage is to be submitted with the Construction Certificate. Drainage must be installed and operational prior to commencement of any building work.
- All fill or cut batters shall be contained wholly within the subject land.
97. The earthworks shall be carried out in accordance with AS 3798-1996, "Guidelines on Earthworks for Commercial and Residential Developments". In general, material shall be placed in layers not exceeding 300mm in depth, watered and compacted to achieve the specified density ratio as monitored in Table 5.1 - Guidelines for Minimum Relative Compaction.
98. Permanent Stormwater Quality Treatment
- (a) Permanent stormwater quality treatment shall comply with “*Tweed Urban Stormwater Quality Management Plan*” (adopted by Council 19 April 2000) section 5.5.3 “Stormwater Objectives During the Post Construction or Occupational Phase of Development” . New development is required to comply with table 5.4 of the plan and demonstrate compliance by modelling in accordance with section 5.5.4. Section 5.5.5 of the plan further advises that treatment that is in accordance with the “deemed to comply” provisions of *Appendix E - Tweed Shire Council, Aus-Spec D7 - Stormwater Quality* is deemed to comply with the objectives in 5.5.3.
 - (b) Water sensitive design practices shall be adopted. Where it is practical, water quality features are to be designed into the land development site rather than rely on special end of pipe devices to strip pollutants and nutrients from stormwater prior to discharge. Typical water quality features that can be designed into the site development include use of porous pavements, directing runoff over filter strips or grass swales in landscaped areas, utilising landscaping as an integral part of stormwater quality management, maximising use of infiltration and stormwater reuse (eg. Rainwater tanks). These features can be complemented by site management practices which minimise creation of stormwater pollutants and nutrients and provide for appropriate operation, cleaning and maintenance of water quality control devices.

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- (c) The Construction Certificate Application must include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development, prepared in accordance with Section D7.07 of *Tweed Shire Council Aus-Spec D7 - Stormwater Quality*.
99. Discharge of stormwater into Lot 13 DP 871753 shall be limited to pre-development rates and evenly distributed across the southern boundary by means of a low spillway.
100. Only clean fill material shall be deposited on site. Details of the source and nature of fill shall be supplied to Council for consideration prior to commencement of works, and Councils approval of this fill shall be obtained prior to commencement.
101. A revised Acid Sulfate Soils Management Plan complying with the ASSMAC manual 1989 shall be submitted for the approval of the Director of Environment and Community Services prior to the commencement of works on the site. This management plan shall include results of soil sampling on the site and resultant proposed management measures. All works shall comply with the approved ASSMP.
102. Delivery of goods by motor vehicle shall be restricted to the hours of 7am to 7pm.
103. A screened enclosure for the storage of garbage receptacles shall be provided to the satisfaction of the Director of Environment & Community Services.
104. Prior to the commencement of operations or the occupation of the building the proposed roof mounted condenser units shall be acoustically screened in accordance with the specification included in the Noise Impact Assessment (August 1999). Details plans of these screens shall be submitted to Council for approval prior to the commencement of operations or the occupation of the building.
105. Prior to the commencement of operations or the occupation of the building the proposed acoustic barrier adjacent to the loading bay area shall be provided in accordance with the specification included in the Noise Impact Assessment (August 1999). Detailed plans of these screens shall be submitted to Council for approval prior to the commencement of operations or occupation of the building.
106. Prior to the commencement of operations or the occupation of the building an acoustic barrier adjacent to the loading bay in the north western corner of the site shall be provided that is consistent with the specification included in the Noise Impact Assessment (August 1999). Detailed plans of these screens shall be submitted to Council for approval prior to the commencement of operations or occupation of the building.
107. The individual Cordyline Congestas (Palm Lily) which exists on the site shall be removed and transplanted to an alternative site approved by the Director of Environment & Community Services. Details of the site measures to be undertaken to enhance the survival of this plant to be supplied to Council prior to the commencement of these works.
108. Lighting on the site and illuminated signs shall not be permitted to create a nuisance or affect the amenity of any premise.

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ATTENDANCE AT MEETING

Cr Luff attended the meeting at 2.45pm.

PROCEDURAL MOTION

617

Cr Polglase

Cr Davidson

RESOLVED that the motion be put.

Voting – Unanimous

The Motion was **Carried**

Voting - Unanimous

3. **Proposed Motorcycle Events – Five (5) Events Per Year until 2005 at Murwillumbah Showground - Queensland Road, Murwillumbah**

DA4510/10 Pt2

618

Cr Boyd

Cr Luff

RESOLVED that this item be deferred so a representative from the Tweed River Agricultural Show Society can address Community Access on 14 February 2001.

Voting - Unanimous

4. **The Erection of a Dwelling House and Conversion of An Existing Dwelling House to Tourist Accommodation at Lot 12 DP 862591 Limpinwood Valley Road, Limpinwood**

DA3065/365 Pt1

619

Cr Boyd

Cr Marshall

RESOLVED that Development Application 0859/2000DA submitted by Yumi Design for the erection of a dwelling house and conversion of an existing dwelling house to tourist accommodation at Lot 12 DP 862591 Limpinwood Valley Road, Limpinwood be approved subject to the following conditions:-

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

1. (i) Payment of the following contributions pursuant to Section 94 of the Act and the relevant Section 94 Plan.

Pursuant to Clause 79H of the Environmental Planning and Assessment Regulations, 1994, a Construction Certificate shall NOT be issued by a Certifying

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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: | \$4,979 |
| | S94 Plan No. 4 (Version 4.0) | |
| | Rural Outer Zone - Commercial | |
| b. | Open Space (Structured): \$214/bed | \$428.00 |
| | S94 Plan No. 5 | |
| c. | Emergency Facilities (Surf Lifesaving) \$27.59/person | \$110.40 |
| | S94 Plan No. 16 | |
| d. | Extensions to Council Administration Offices | |
| | & Technical Support Facilities \$238/bedroom | \$476.00 |
| | S94 Plan No. 18 | |

2. An effluent report is to be submitted to the satisfaction of the Director Environment and Community Services Prior to the release of the Construction Certificate. The effluent report shall be prepared by a suitably qualified consultant. It shall report on the adequacy and effectiveness of the existing OSMF and associated disposal mechanisms to adequately treat and dispose of all domestic wastewaters generated on site in view of the additional hydraulic and nutrient loadings.

GENERAL

3. The development shall be completed in general accordance with Plans Nos 000101 to 000110 prepared by Yumi Design and dated July 2000, except where varied by these conditions.
4. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
5. The door to a fully enclosed sanitary compartment must:-
- open outwards; or

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- ii. slide; or
 - iii. be readily removable from the outside of the sanitary compartment;
unless there is a clear space of at least 1.2m between the closet pan within the sanitary compartment and the nearest part of the doorway.
6. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction.
7. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.
8. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
- a. footings, prior to pouring of concrete
 - b. slab, prior to pouring of concrete
 - c. frame prior to the erection of brick work or any wall sheeting
 - d. final inspection prior to occupation of the building
9. The building is to be protected from attack by termites by approved methods in accordance with the provisions of Australian Standard AS 3660.1, and:
- (i) Details of the proposed method to be used are to be submitted to and approved by the Principal Certifying Authority prior to start of works; and
 - (ii) Certification of the works performed by the person carrying out the works is to be submitted to the PCA prior to occupation of the building; and
 - (iii) A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:-
 - (A) the method of protection; and
 - (B) the date of installation of the system; and
 - (C) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - (D) the need to maintain and inspect the system on a regular basis.
- Note:** Underslab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building.
10. In the event that Council is not utilised as the inspection/Certifying authority, within seven (7) days of building works commencing on the site a Compliance Certificate in

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the prescribed form is to be submitted to Council together with the prescribed fee, by the nominated principal certifying authority to certify the following:

- i. All required erosion and sedimentation control devices have been installed and are operational.
 - ii. Required toilet facilities have been provided on the site in accordance with Section 78i of the Environmental Planning & Assessment Amendment Regulations 1998.
 - iii. A sign has been erected on the site in accordance with Section 78H of the Environmental Planning & Assessment Amendment Regulations 1998.
 - iv. All conditions of consent required to be complied with prior to work commencing on the site have been satisfied.
 - v. That the licensee has complied with the provisions of Section 78c of the Environmental Planning and Assessment Amendment Regulations 1998.
11. The glazier is to supply the PCA with certification that all glazing complies with AS 1288-1994 and AS2047 of the Building Code of Australia.
 12. Manufacturers certification is to be provided to the PCA from the Roof Truss manufacturer to certify the roof truss design.
 13. In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.
 14. All trade materials, product and plant to be kept within confines of the building at all times.
 15. All loading/unloading to take place within the boundary of the subject property.

PRESCRIBED (BUILDING)

16. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided must be:-
 - (a) a standard flushing toilet connected to a public sewer, or
 - (b) if that is not practicable, an accredited sewage management facility approved by the council, or
 - (c) if that is not practicable, any other sewage management facility approved by the council.
17. A sign must be erected on the site in a prominent, visible position stating:

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- a. that unauthorised entry to the work site is prohibited; and
 - b. showing the name of the builder, or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.
18. It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied.
19. The building is not to be occupied or a final Occupation Certificate issued until a fire safety certificate has been issued for the building to the effect that each essential fire safety measure listed in the schedule below has been designed and installed in accordance with the relevant standards.

Such certificate shall state as to each essential fire measure installed in the building:

- (a) that the service has been inspected and tested by a person who is competent to carry out such an inspection or test; and
20. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).
21. A. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:
- i. in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor licence number; and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act; or
 - ii. in the case of work to be done by any other person:
 - (i) has been informed in writing of the person's name and owner-builder permit number, or
 - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of *owner-builder work* in Section 29 of that Act,

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

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- B. A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
22. The erection of a building in accordance with a development consent must not be commenced until:
- a. detailed plans and specifications of the building have been endorsed with a construction certificate by:
 - (i) the consent authority; or
 - (ii) an accredited certifier; and
 - b. the person having the benefit of the development consent:
 - (i) has appointed a Principal Certifying Authority; and
 - (ii) has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and
 - c. the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.
23. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.

ENGINEERING (BUILDING)

24. The footings are to be designed by a practising Structural Engineer after consideration of a soil report from an accredited soil testing laboratory and shall be submitted to and approved by the Principal Certifying Authority prior to the commencement of building work.
25. Details from a Structural Engineer are to be submitted to the Principal Certifying Authority for approval for all bracing and tiedown, prior to work being commenced on that part.

FIRE (BUILDING)

26. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard AS 2444 "Portable Fire Extinguishers - Selection and Location" and Part E1.6 of the Building Code of Australia.
27. An automatic fire detection and alarm system, designed to ensure the occupants are given adequate warning so they can evacuate the building in an emergency, must be

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installed in Class 1a building, or dwelling or dual occupancy and within sole occupancy units in a townhouse.

Smoke detection and alarm systems must be installed in accordance with Part 3.7.2.3 of the Building Code of Australia and must comply with Australian Standard AS 3786.

Smoke alarms must be connected to the consumer mains power where consumer power is supplied to the building.

Smoke alarms must be installed on or near the ceiling in -

- (a) any storey containing bedrooms -
 - (i) between each part of the dwelling containing bedrooms and the remainder of the dwelling; and
 - (ii) where bedrooms are served by a hallway, in that hallway; and
- (b) any other storey not containing a bedroom.

A Certificate of Compliance is to be submitted to the PCA prepared by the licensed Electrical Contractor certifying that the installation complies with the above, prior to occupation of the building.

DISABLED (BUILDING)

28. Please note that while the proposal, subject to the conditions of approval, may comply with the provisions of the Building Code of Australia for persons with disabilities your attention is drawn to the Disability Discrimination Act which may contain requirements in excess of those under the Building Code of Australia. It is therefore required that these provisions be investigated prior to start of works to determine the necessity for them to be incorporated within the design.

SWIMMING POOLS

29. A sign must be erected on the site in a prominent, visible position stating:
- a. that unauthorised entry to the work site is prohibited; and
 - b. showing the name of the builder, or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.
30. A. The swimming pool is to be installed and access thereto restricted in accordance with Council's "**Code for the Installation of New Swimming Pools**" and Australian Standard AS 1926-1986 (Copy of code enclosed).
- B. Swimming pools shall have suitable means for the drainage and disposal of overflow water.
- C. The pool filter is to be enclosed and located in a position so as not to cause a noise nuisance to adjoining properties.

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- D. It is the responsibility of the pool owner to ensure that the pool fencing continues to provide the level of protection required regardless of and in response to any activity or construction on the adjoining premises. Due regard must be given to the affect that landscaping will have on the future effectiveness of the security fencing. (Section 7 Swimming Pool Act 1992).
 - E. The resuscitation poster must be permanently displayed in close proximity to the swimming pool. (Section 17 Swimming Pool Act 1992).
 - F. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction.
 - a. Steel reinforcing prior to the pouring of concrete.
 - b. Swimming pool safety fencing prior to filling the pool with water.
 - G. In the event that Council is not utilised as the inspection/certifying authority:-
 - a. Within seven (7) days of the filling of the pool a Compliance Certificate in the prescribed form shall be submitted to Council together with the prescribed fee, by the Accredited Certifier to certify that all works have been completed in accordance with the approved plans and conditions of Consent and that the swimming pool safety fencing has been installed and complies with AS 1926.
 - b. The Certifying authority is to be given 24 hours notice in writing for an inspection of the swimming pool safety fencing prior to filling the pool with water.
31. The swimming pool is not to be used for commercial purposes without prior Development Consent.

ROADS & STREETS

32. The right of carriageway over adjoining Lot 11 DP 862591 is to be constructed with a 100mm thick gravel base 3.6m wide with a 2 coat bitumen seal with a width of 3m for the full length of the right of carriageway.

DRAINAGE/FLOODING

33. All roof waters are to be disposed of through properly jointed pipes to the street gutter, interallotment drainage or to the satisfaction of the Principal Certifying Authority. All PVC pipes to have adequate cover and installed in accordance with the provisions of AS/NZS3500.3.2-1998. **Note** All roof water must be connected to an interallotment drainage system where available.
34. All surface and seepage waters liable to be a nuisance are to be collected and diverted clear of the building site by an approved drainage system separate to the roof water system.
35. Details of the intended method of water storage are to be submitted to the Principal Certifying Authority for approval prior to occupation of the completed dwelling. Please note that the minimum storage capacity required shall be 20,000 litres.

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ENVIRONMENT PROTECTION

36. Suitable covering and protection is to be provided to ensure that no material is removed from the site by wind, causing nuisance to neighbouring properties.
37. 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.
38. 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.
39. 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.
40. A detailed site contamination report is to be provided which is prepared in strict accordance with the provisions of the NSW EPA's Contaminated Site "Guidelines for Consultants Reporting on Contaminated Sites" November 1997 and Council Contaminated Land Policy.

Note:-

1. It is a requirement of these Guidelines that **all** contamination reports include a clear statement from the consultant as to the suitability or otherwise of the subject site for the proposed use, together with a statement detailing all limitations and constraints that are applicable in relation to the use of the site.
 2. Any contamination report that **does not** provide and follow the recommended report sections and information requirements as specified within the Guidelines will be returned on the basis of insufficient information provided.
 3. Other relevant or applicable EPA Guidelines are to be used as appropriate.
41. The burning of builders waste on site by open fire is prohibited.
 42. Prior to commencement of works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.

Erosion and sediment control shall be in accordance with *the "Tweed Urban Stormwater Quality Management Plan"* (adopted by Council 19 April 2000) section 5.5.2 "Stormwater Objectives During the Construction Phase of New Development". This section requires all new development to comply with Appendix E of the Plan "*Tweed Shire Council Aus-Spec D7 - Stormwater Quality*" and its Annexure A - "Code of Practice for Soil and Water Management on Construction Works". Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond has been released.

43. Any roof rainwater collection system for the storage of water for drinking purposes shall incorporate a first flush diversion device.

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44. A drinking water management plan shall be compiled and implemented for the commencement of operation of the tourist accommodation. The plan shall include those requirements of Council's Environment and Health Services Unit.

PLUMBING & DRAINAGE

45. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
- a. internal drainage, prior to slab preparation;
 - b. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
 - c. external drainage prior to backfilling.
 - d. completion of work.
46. A. A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.
- B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.
47. Temperature and pressure relief lines from hot water systems shall discharge in the open as prescribed in Australian Standard AS 3500.4.1990 Section 4.12.3.
48. It is a condition of this consent to operate a system of sewage management that this clause is complied with.
- (i) The sewage management facilities used in the operation of the system must be maintained in a sanitary condition and must be operated in accordance with the relevant requirements of this Regulation.
 - (ii) A sewage management facility used in the operation of the system must not discharge into any watercourse or onto any land other than its related effluent application area.
 - (iii) The conditions (if any) of any certificate of accreditation issued by the Director-General of the Department of Health under this Division in respect of the plans or designs for any components of the sewage management facilities must be complied with.
 - (iv) The person operating the system of sewage management must provide details of the way in which it is operated, and evidence of compliance with the relevant requirements of this Regulation and of the conditions of the approval, whenever the Council reasonably requires the person to do so.
49. Water plumbing shall **not** be installed in concrete slabs or be laid under slabs on the ground.

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50. Pressed steel baths and shower trays are to be bedded in accordance with the method prescribed by the manufacturer.
51. The Council approved wet area flashing installer is to supply to the Principal Certifying Authority certification that all wet area flashings have been installed in accordance with the Manufacturer's Specifications, detailing the rooms or areas involved and the date of installation. **Note:** Only Council approved installers may carry out this work and reference must be made to Council to confirm that such installers are Council approved.
52. Impervious floors, properly graded and drained are to be provided to all wet areas.
53. It is a condition of an approval to install, construct or alter a sewage management facility that the facility is not used (or used as altered) until the Council has given the applicant for approval notice in writing that it is satisfied that the facility has been installed, constructed or altered in substantial accordance with the approval.
54. Drainage lines must not penetrate footings unless certification is first obtained from a practising Structural Engineer.
55. The licensed Plumber/Drainer is to liaise with Council's Health and Building Surveyor to determine the location and design of the septic tank installation.
56. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.
57. All drainage lines are to be continuously bedded in accordance with the provisions of Section 5.4 AS 3500.2 - 1990.
58. Yard gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.
59. Council is to be notified, in writing, of any proposed changes to the waste treatment device.
60. The finished floor level of the building should finish not less than 225mm above finished ground level.
61. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-
 - * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
 - * 50⁰C in all other classes of buildings.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

ATTENDANCE AT MEETING

Cr Carroll attended the meeting at 3.00pm.

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The Motion was **Carried**

Voting - Unanimous

REPORTS FROM DIRECTOR CORPORATE SERVICES

5. Reduction in Number of Delegates to Far North Coast County Council

FNCC

Cr Boyd

Cr Luff

PROPOSED that Council nominates Cr James to the Far North Coast County Council.

AMENDMENT

620

Cr Marshall

Cr Lawrie

RESOLVED that Council nominates Cr Youngblutt to the Far North Coast County Council.

The Amendment was **Carried**

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr Davidson
Cr James
Cr Luff

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

Voting For

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

Voting Against

Cr Carroll
Cr James
Cr Luff

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6. Financial Report for Period Ending November 2000

Financial Report

621

Cr Marshall

Cr Boyd

RESOLVED that the revised Investment Policy be adopted by Council as follows:-

1. POLICY

1.1 Objectives

- *To undertake investment of surplus funds in line with Council's current Investment Strategy.*
- *To maximise earnings from authorised investments and ensure the security of Council Funds.*

1.2 Authority for Investment

All investments are to be made in accordance with:-

- *Local Government Act 1993 – Section 625;*
- *Local Government Act 1993 – Order (of the Minister) dated 24 March 2000;*
- *The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2);*
- *Local Government (Financial Management) Regulation 1993 – Clause 16.*

1.3 Delegation of Authority

The General Manager and Manager Financial Services have authority to invest surplus funds.

1.4 Authorised Investments

All investments must be denominated in Australian Dollars. Authorised Investments would include but not necessarily be limited to:

- *Local/State/Commonwealth Government Bonds, Debentures or Securities;*
- *Managed funds (securities) issued by a fund manager (or its ultimate parent company), who has a minimum long term credit rating of "A" (S&P Australian Ratings) or better, or Moody Investor Services equivalent.*
- *Deposits in prescribed securities that either have a minimum long term credit rating of "A" or short term rating of "A1" from Standard & Poors or Moody Investor Services equivalent.*
- *Interest bearing deposits/securities issued by a licensed bank, building society or credit union;*

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- *Investments with NSW Treasury Corp/Hourglass Investment Facility; and*
- *Deposits with the Local Government Investment Services (“LGIS”)*

D1.5 Guidelines

(A) Approved Investments with Funds Managers would include:-

<i>Fund Type</i>	<i>Minimum Recommended Investment Horizon</i>	<i>Maximum Weighting as % of Total Investment Portfolio</i>
<i>Cash Funds (at call)</i>	<i>0-180 days</i>	<i>0-100</i>
<i>Cash Plus/Cash Enhanced Funds/or equivalent</i>	<i>3 months plus</i>	<i>0-90</i>
<i>Fixed Interest Funds</i>	<i>3 years plus</i>	<i>0-30</i>
<i>Capital Stable Funds</i>	<i>3 years plus</i>	<i>0-20</i>
<i>Balanced Funds</i>	<i>5 years plus</i>	<i>0-15</i>

The asset structure and features of the fund are to be consistent with the time horizon, risk parameters, and liquidity requirements of Council as set out in its investment strategy.

(B) Council’s Direct Investments

QUOTATIONS ON INVESTMENTS

Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.

(C) Diversification/Credit Risk Guidelines

MANAGED FUND INVESTMENTS

The total amount invested with any one fund manager should not exceed 45% of average annual funds invested.

Minutes - Meeting of Tweed Shire Council

DIRECT INVESTMENTS

The amount invested with any one financial institution should not exceed the following percentages of average annual funds invested.

<i>Long Term Rating (Standard & Poors)</i>	<i>Short Term Rating (Standard & Poors)</i>	<i>Maximum Percentage of Total Investments</i>
<i>AAA to AA-</i>	<i>A1+</i>	<i>45%</i>
<i>A+ to A-</i>	<i>A1</i>	<i>40%</i>
<i>BBB+ to BBB-</i>	<i>A2</i>	<i>20%</i>

CREDIT RATINGS

If any of Council's investments are downgraded such that they no longer fall within these investment policy guidelines, they will be divested as soon as is practicable.

(D) Performance Benchmarks

<i>Investment</i>	<i>Performance Benchmark</i>
<i>Cash/Cash Plus/direct Investments</i>	<i>11 AM and UBSWA Bank Bill Index</i>
<i>Fixed Interest</i>	<i>UBSWA 0-3yr and/or All Maturities Indices</i>
<i>Capital Stable Funds</i>	<i>CPI + 2% av. Rolling 3 yr periods</i>
<i>Balanced Funds</i>	<i>CPI + 3% av. Rolling 3 yr periods</i>

(E) Reporting

A monthly report should be provided to Council, detailing the investment portfolio in terms of performance and counterparty percentage exposure of total portfolio.

For audit purposes, certificates must be obtained from the banks/funds managers confirming the amounts of investment held on Council's behalf at 30th June each year.

(F) Variation to Policy

The General Manager and Manager Financial Services be authorised to approve variations to this policy if the investment is to Council's advantage and/or due to revised legislation.

All changes to this policy are to be reported to Council by the end of the following month.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

7. Financial Indicators - 1998/1999 Comparative Information on NSW Councils Provided by the Department of Local Government

Comparative Information

622

Cr Luff

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

8. Tweed Economic Development Corporation (TEDC) Monthly Performance Report - November 2000

TEDC

623

Cr Marshall

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM DIRECTOR ENGINEERING SERVICES

9. Proposed Road Closure and Purchase - Nobbys Creek Road Adjacent to Lot 1 DP 861505

GR3/12/5

624

Cr Boyd

Cr Marshall

RESOLVED that:-

1. Council approves the closure and purchase of an unnecessary public road adjacent to Lot 1 DP 861505,
2. The applicants bear all legal and survey costs and purchase the subject land at the value assessed by the State Valuation Office,
3. Easements are created where necessary over any existing public authority services,
4. The subject and adjacent lands be consolidated into one title, and
5. All necessary documentation be executed under the Common Seal of Council.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

10. Water Supply and Sewerage Performance Reporting

Sewer management – General, Water Management - General

625

Cr Luff

Cr Boyd

RESOLVED that:-

1. This report be received and noted.
2. Residents be advised through the Tweed Link that copies of the report are available for perusal at the Tweed and Murwillumbah Civic Centres.

Voting - Unanimous

11. Tyalgum Water Supply Reservoir Site

PF0730/800

626

Cr Marshall

Cr Boyd

RESOLVED that :-

1. Council requests the Minister's approval to the issuing of a Compulsory Acquisition Notice to acquire:-
 - Lot 1 in DP 1019241 and
 - associated easements being a Right of Carriageway 10 wide and an Easement for Pipeline 3 wideunder the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Local Government Act 1993, and
2. All necessary documentation be executed under the Common Seal of Council.

Voting - Unanimous

12. Regional Plantation Transport Infrastructure Committee

Plantation Transport Infrastructure Committee

627

Cr Youngblutt

Cr Marshall

RESOLVED that :-

1. Council be represented on the Regional Plantation Transport Infrastructure Committee.
2. Council's interim delegate on the Regional Plantation Transport Infrastructure Committee be the Director Engineering Services.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

13. Cudgen Creek Dredging in Vicinity of Boat Ramp

Dredging - Cudgen Creek

628

Cr Marshall

Cr Davidson

RESOLVED that Council:-

1. Directs boat users to the Tweed River when the natural conditions for boating are unsuitable at Kingscliff.
2. Provides a copy of the report to interested parties, including relevant fishing and boating clubs.

AMENDMENT

Cr Youngblutt

Cr Brinsmead

PROPOSED that Council uses an excavator to clear as much sand from in front of the boat ramp and if possible the bar east of the boat ramp and that this operation be repeated if and when necessary, up to three times.

The Amendment was **Lost**

Voting For

Cr Beck
Cr Brinsmead
Cr Youngblutt

Voting Against

Cr Boyd
Cr Carroll
Cr Davidson
Cr James
Cr Lawrie
Cr Luff
Cr Marshall
Cr Polglase

The Motion was **Carried**

Voting For

Cr Beck
Cr Boyd
Cr Carroll
Cr Davidson
Cr James
Cr Lawrie
Cr Luff
Cr Marshall
Cr Polglase

Voting Against

Cr Brinsmead
Cr Youngblutt

Minutes - Meeting of Tweed Shire Council

629

Cr Beck

Cr Marshall

RESOLVED that the Local Member, Mr Neville Newell be approached to gain government assistance with funding for remedial works adjacent to the Cudgen Creek boat ramp.

Voting For

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

Voting Against

Cr James

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

14. Options to Deal with Destruction of Dunal Vegetation

Dune Care Committee, Foreshore Protection

630

Cr Marshall

Cr Boyd

RESOLVED that Council undertakes to implement a program to address instances of destruction of vegetation, the program to include:-

1. Community Education:

The community education may take the form of:

- a) Articles in the Tweed Link;
- b) Information to residents of coastal villages including cadastral maps of the area showing the status and boundaries of public land, the legislation under which it operates and penalties for infringements etc.

2. Community Vigilance:

The community be encouraged to report instances of vegetation removal/destruction and attain evidence if possible

3. Prosecution:

Council undertakes to pursue prosecution where feasible.

Minutes - Meeting of Tweed Shire Council

4. Signs

Council undertakes to erect a sign similar to those employed by North Sydney Council and Caloundra City Council at the site of vandalism at Kingscliff.

Further signage may be considered in the future if proven successful or circumstances justify.

The proposed sign to measure 3m x 2m and read as per figure 1 of this report.

Voting For

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

Voting Against

Cr Beck

15. Tweed Cultural and Performing Arts Society

Civic Centre-Tweed Heads, Cultural Development Funding

631

Cr Boyd

Cr Davidson

RESOLVED that Council considers the provision of funds for the purchase of the projection system in its forthcoming budget deliberations.

Voting - Unanimous

16. Queen Street Murwillumbah Toilet Block

Public Toilets

632

Cr Youngblutt

Cr Marshall

RESOLVED that Council considers providing funds of \$100,000 for a total reconstruction of the Queen Street Toilet Block in its 2001 Budget deliberations.

Voting - Unanimous

SUSPENSION OF STANDING ORDERS

633

Cr Polglase

Cr Marshall

RESOLVED that standing orders be suspended to deal with Item 2 Orders of the Day of the Agenda.

Minutes - Meeting of Tweed Shire Council

Voting – Unanimous

ORDERS OF THE DAY

- 2. Notice of Motion –Cr Polglase
Tweed River Art Gallery**

Art Gallery-General, Notice of Motion

634

Cr Polglase

Cr Davidson

RESOLVED that Tweed Shire Council supports the Tweed River Art Gallery submission to the ACC for infrastructure funding for the amount of \$300,000 and agrees to underwrite the Community financial contribution for the sum of \$784,000.

Voting - Unanimous

RESUMPTION OF STANDING ORDERS

635

Cr James

Cr Boyd

RESOLVED that Standing Orders be resumed.

Voting - Unanimous

TEMPORARY ABSENCE FROM MEETING

Cr Youngblutt left the meeting.

- 17. Purchase of Land from State Rail**

Land Purchase

636

Cr James

Cr Marshall

RESOLVED that Council classifies the 1700m² purchase from State Rail as operational land.

Voting - Unanimous

TEMPORARY ABSENCE FROM MEETING

Cr Polglase left the meeting.

- 18. Biodegradable Bait Bags Update**

Water - National Water Week

637

Cr James

Cr Davidson

RESOLVED that this report be received and noted.

Voting – Unanimous

Minutes - Meeting of Tweed Shire Council

LATE ITEM

638

Cr Marshall

Cr Lawrie

RESOLVED that Items 18a and 18b being an Addendum items be dealt with and it be ruled by the Chairman to be of great urgency.

Voting - Unanimous

RETURN TO MEETING

Cr Polglase returned to the meeting.

18a. Crime Prevention Plan - Coolangatta/Tweed Heads

Police Matters

639

Cr James

Cr Boyd

RESOLVED that Council endorses this joint project and advises the other partners accordingly.

Voting - Unanimous

RETURN TO MEETING

Cr Youngblutt returned to the meeting.

18b. Building Line Variation Request - Lot 40 DP 237678 No 20 Frances Street, Tweed Heads

DA2131/230 Pt1 0944/2000 DA

640

Cr Boyd

Cr Lawrie

RESOLVED that this item be deferred to the first meeting in January 2001.

Voting - Unanimous

REPORTS FROM SUB-COMMITTEES

1. **Minutes of the Companion Animal Committee Meeting held 11 December 2000**
File No: Companion Animals

Minutes - Meeting of Tweed Shire Council

8. Companion Animal Workshop

Companion Animals

641

Cr Boyd

Cr Marshall

RESOLVED that the letters recently forwarded to the Department regarding the Act also be forwarded to the Minister and Local Members, including a suggestion that a statewide television education campaign be launched.

Voting - Unanimous

642

Cr Boyd

Cr Marshall

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

Voting - Unanimous

2. Minutes of the Tweed River Management Plan Advisory Committee Meeting held Wednesday 29 November 2000

River Management

4. 10th Annual NSW Coastal Conference

Conferences

643

Cr Marshall

Cr Beck

RESOLVED that the 11th Annual NSW Coastal Conference be attended by the Chairman of the Coastal and Estuary Management Committees and one staff member.

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

Minutes - Meeting of Tweed Shire Council

7. Recreational Waterway Use

Boating

644

Cr Marshall

Cr Beck

RESOLVED that Council:-

- a. Be made aware of the potential for conflict between the location of a water ski club and use of powerboats in the vicinity of the Murwillumbah Rowing Club in the upper Tweed River estuary, and
- b. Investigates the legality of the establishment of a ski club on the private land behind Liquorland, Murwillumbah South.

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

645

Cr Marshall

Cr Beck

RESOLVED that the balance of the Minutes of the Tweed River Management Plan Advisory Committee Meeting be adopted.

Voting - Unanimous

3. Minutes of the Local Traffic Committee Meeting held Thursday 14 December 2000 Traffic Committee

1. Piggabeen Road, Piggabeen

R4300 Pt7

646

Cr Boyd

Cr Marshall

RESOLVED that a speed survey / traffic count be undertaken on Piggabeen Road when resources are available and the applicant be advised accordingly.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

3. Leisure Drive, Tweed Heads

R3035 Pt2 DW578702

647

Cr Boyd

Cr Marshall

RESOLVED that a school crossing be approved on Leisure Drive at the existing pedestrian refuge subject to the school accepting the standard conditions.

Voting - Unanimous

4. Florence Street, Tweed Heads

R2100 Pt2

648

Cr Boyd

Cr Marshall

RESOLVED that a refuge island be provided in the already approved school crossing near Enid Street, when funds permit.

Voting - Unanimous

5. Murwillumbah South Infants School

R4031 Pt13 DW579058

649

Cr Boyd

Cr Marshall

RESOLVED that the applicant be advised that the matter has been referred to the RTA for action.

Voting - Unanimous

650

Cr Boyd

Cr Marshall

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

Voting - Unanimous

OUTSTANDING INSPECTIONS

Nil

Minutes - Meeting of Tweed Shire Council

ORDERS OF THE DAY

1. Council Pound Facility

Dog Pound, Notice of Motion

651

Cr Marshall

Cr Youngblutt

RESOLVED that the General Manager be requested to bring forward a report outlining options for the expansion/re-building of the Cattery area of the Council Pound facility as a matter of urgency. The report to detail potential funding from the accumulated funds from the new registration scheme associated with the Companion Animals Act 1998.

Voting - Unanimous

2. Tweed River Art Gallery

Art Gallery-General, Notice of Motion

This item was dealt with at Minute No. 634.

3. Mayoral Car

Mayoral Vehicle, Notice of Motion

Cr Luff

Cr James

PROPOSED that the Mayoral car is provided for the use of the Mayor on Council business only.

AMENDMENT

652

Cr Brinsmead

Cr Polglase

RESOLVED that Council maintains the current policy in relation to the use of the mayoral vehicle.

PROCEDURAL MOTION

653

Cr Youngblutt

Cr Marshall

RESOLVED that the motion be put.

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr James
Cr Lawrie
Cr Luff

The Amendment was **Carried**

Minutes - Meeting of Tweed Shire Council

Voting For

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

Voting Against

Cr Carroll
Cr Luff

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

Voting For

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

Voting Against

Cr Carroll
Cr Luff

4. Mayoral Car

Mayoral Vehicle, Notice of Motion

Cr Luff

Cr Lawrie

PROPOSED that the application of the current policy in relation to the use of the mayoral vehicle is varied in that the Mayoral car is only to be driven by a person, other than the Mayor, when the Mayor is in the car.

PROCEDURAL MOTION

654

Cr Youngblutt

Cr Marshall

RESOLVED that the motion be put.

Minutes - 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

TEMPORARY ABSENCE FROM MEETING

Cr Marshall left the meeting.

The Motion was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr Lawrie
Cr Luff

Voting Against

Cr Beck
Cr Brinsmead
Cr Davidson
Cr James
Cr Polglase
Cr Youngblutt

RETURN TO MEETING

Cr Marshall returned to the meeting.

QUESTION TIME

Market – Bay Street, Tweed Heads

Markets – Bay Street

Cr Beck

The convenor of the Bay Street market has been given the same day to operate as the Tweed River Agricultural Society, as the convenor is the previous convenor of the Tweed River Agriculture Society market. Can we do something about this clash of dates?

The Director Development Services advised that an application is required to amend the change of dates, as it has been previously resolved by Council.

Motion - National General Assembly

ALGA

Cr Boyd

Is it a fact that Cr Beck that you moved the motion carried by this Council and submitted to the National Assembly and that you then indicated you wished to speak in opposition to this motion?

The Mayor responded yes.

Minutes - Meeting of Tweed Shire Council

Gold Coast Airports Limited – Runway Extension

Airport – Runway Extension

Cr Carroll

Did the Mayor meet with the Federal Minister for Transport to discuss his decision to deny Gold Coast Airports Limited the capacity for a runway extensions and who initiated this meeting?

Cr Carroll

Why did the Mayor, as the formally delegated spokesperson for Council to suggest to the Minister that he override Council's decision about the runway extension when this is in direct opposition to a Council decision?

The Mayor advised that she had met with the Federal Minister for Transport to try and work out a compromise for the area in an endeavour to keep the area clear of buildings so as to remain an open area. The meeting was organised by Margaret May, Member for McPherson.

The Anchorage Islands

Land Development - Anchorage

Cr Marshall

I have again been asked to look into the matter of the rock retaining walls around the development.

Concerns were previously raised as to the subsidence. Could I please be advised and perhaps have firm confirmation on what is being done.

The Director Engineering Services advised that there were a number of issues in relation to the rock walls. Lend Lease surveyors have been surveying the area to prepare a base plan to differentiate easements, rock walls, etc. and the matter can be progressed. At this time Council has no responsibility.

Fuel – Council Depot

Depot – Murwillumbah, Petrols & Oils

Cr Boyd

Is it a policy of Council that Council staff fill their cars up at the Depot.

The General Manager advised that Managers fill their cars up at the Depot unless out of the area.

ITEMS NOT ON THE AGENDA

Invitation to Celebrate Federation Day, Monday, 1 January 2001

Centenary of Federation

655

Cr Boyd

Cr Polglase

RESOLVED that the Mayor be granted approval to attend the celebration of Federation Day on Monday, 1 January 2001 in Sydney.

Minutes - Meeting of Tweed Shire Council

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

COMMITTEE OF THE WHOLE

656

Cr Marshall
Cr Davidson

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

Voting - Unanimous

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:-

657

Cr Boyd
Cr Luff

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

Voting - Unanimous

There being no further business the Meeting terminated at 6.55pm.



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 48 of these Minutes**

Minutes - Meeting of Tweed Shire Council

Chairman