

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.

Councillors Lawrie and Carroll were not present at the commencement of the meeting.

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 Reg Norvill (Acting Director Corporate Services), Mr Brian Donaghy (Manager Administration Services/Public Officer) and Mrs Meredith Smith (Minutes Secretary).

The meeting opened with a Prayer by Council's Chaplain, Father Harry Reuss.

*"Spirit of Justice and Truth,
Grant to the Councillors of the Tweed Shire and all who serve in public life,
wisdom and skill, imagination and energy; protect them from corruption and the
temptation of self serving.
Help us to commit ourselves to the common good that our land may be a secure
home for all its peoples,
through Jesus Christ the Prince of Peace, Amen."*

CONFIRMATION OF MINUTES

GC6/13 Pt4

1804

Cr Marshall
Cr Luff

RESOLVED that the Minutes of the Ordinary Meeting held 7 June 2000 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

1805

Cr Marshall
Cr Luff

RESOLVED that the Minutes of the Extraordinary Meeting held 14 June 2000 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

ABSENT

GC6/1/2 Pt1

Nil.

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DISCLOSURE OF INTEREST

GC6/1/4 Pt1

Cr Boyd declared an interest in Item 2 Orders. The interest being that Cr Boyd is a member of the Church which owns the property the subject of the report.

ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil.

SCHEDULE OF OUTSTANDING RESOLUTIONS

1806

Cr Luff

Cr James

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

GC6/18 Pt5

1. Native Timber Industries

Environment Protection

This item was received and noted.

ATTENDANCE AT MEETING

GC6/1/2 Pt1

Councillors Carroll and Lawrie attended the meeting at 3.10pm.

2. Olympic Landcare

Olympic Games

This item was received and noted.

3. Council Signage

Regulatory Signage

This item was received and noted.

4. Donation of Book Vouchers - Anzac Day

Donations

This item was received and noted.

4a. Donation of a Book "Stoker" by the late Mr Donald Watt

Donations

Cr Boyd made a donation of the book "Stoker" to fellow Councillors. The book is a story of an Australian soldier, Mr Donald Watt, who was a resident of the Tweed and was of his experiences as a Prisoner of War who survived Auschwitz-Birkenau Concentration Camps.

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This item was received and noted.

Adoption of Mayoral Minute GC6/18 Pt5

1807

Cr Beck

RESOLVED that the Mayoral Minute as presented be adopted.

Voting - Unanimous

ITEMS DEFERRED

1. Council Policies and Decision- Staff Action

Notice of Motion - Cr Brinsmead

1808

Cr Brinsmead

Cr Youngblutt

RESOLVED that this matter be withdrawn and referred to the General Manager for his consideration..

Voting - Unanimous

2. Referendum - Election Matters/Daylight Saving/Funding Issues

Notice of Motion - Cr Brinsmead

1809

Cr Brinsmead

Cr Lawrie

RESOLVED that Council considers holding a referendum in the next 18 months on the introduction of a Ward System following consideration of the following:-

- a. Council seeks and provides information to the community, including information on the costs, and fosters informed debate on the ward system.
- b. The General Manager be asked to bring forward a report providing information on the history of Wards in the Tweed, the likely costs of providing information to the public, and the cost of a referendum, within eight (8) weeks.

AMENDMENT

Cr Luff

Cr James

PROPOSED that:-

1. Council seeks and provides information to the community, including information on the costs, and fosters informed debate on the ward system.
2. The General Manager be asked to bring forward a report providing information on the history of wards in the Tweed, the likely costs of providing information to the public, and the cost of a referendum, with eight (8) weeks.

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The Amendment was **Lost**

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

The Motion was **Carried**

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

3. Local Environmental Plan Revision Advisory Committee

Notice of Motion - Cr Brinsmead

1810

Cr Brinsmead

Cr Youngblutt **RESOLVED** that:-

- 1 Council forms a Local Environmental Plan Advisory Committee (comprising 1 Councillor (Chairperson), the Director Development Services or his representative, 1 person appointed by the Rural Industries, 1 person appointed by TEDC, 1 Planning Consultant from the private sector, 1 person from an Environmental group, and 1 person from a local business organisation) to immediately proceed with a review of the Local Environmental Plan in respect to all Rural land and all Environmental Protection zones and that the Director Development Services may make suggestions to include further community representation in this group as the need may arise;
- 2 The Director Development Services reports to Council regarding the review within six months.

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AMENDMENT

Cr Luff

Cr James

PROPOSED that continues its current program for reviewing the Local Environmental Plan.

The Amendment 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

The Motion was **Carried**

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

Cr Brinsmead

Cr Youngblutt

PROPOSED that notwithstanding the resolution passed at Minute No 1810 Councillor Marshall be the Councillor representative on the Local Environmental Plan Revision Advisory Committee and that the Committee elects the Chairperson.

AMENDMENT

1811

Cr Boyd

Cr Davidson

RESOLVED that notwithstanding the resolution passed at Minute No 1810 Councillor Polglase be the Councillor representative on the Local Environmental Plan Revision Advisory Committee and that the Committee elects the Chairperson.

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The Amendment was **Carried**

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

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

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

REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

- Proposed Extensions to an Existing Motel at Lots 349 and 350 DP 755701, No. 1-3 Murphys Road, Kingscliff**

DA3620/10 Pt2

1812

**Cr Marshall
Cr Davidson**

RESOLVED that the development application submitted by Adam McGuffie for the erection of additions to an existing motel at Lots 349 and 350 DP 755701 No. 1-3 Murphys Road, Kingscliff be granted a deferred commencement approval in accordance with the following conditions:-

“Deferred Commencement”

This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule “A”. Such evidence is to be provided within twelve (12) months of the date of notification.

Upon the consent authority being satisfied as to compliance with the matters set out in Schedule “A”. The consent shall become operative and take effect from the

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date of notification under Section 67 of the Environmental Planning and Assessment Regulations subject to the conditions set out in Schedule "B".

SCHEDULE "A"

Conditions imposed pursuant to Section 80(3) of the Environmental Planning and Assessment Act, 1979 and Section 67 of the Regulations as amended.

1. The applicant shall submit for Council, within twelve (12) months of the date of this notice the following information:-
 - a. Detailed plans in triplicate of the proposed method of construction relative to the subject sites location within a coastal erosion zone. Such plans are to adequately demonstrate that the design of the proposed buildings will ensure compatibility to withstand erosion events as a result of foreshore recession. Such plans are to be prepared by a suitably qualified and practising structural engineer and architect/building designer and be approved by the Director of Development Services. In this regard, the applicant shall consult with Council in relation to the proposed Coastal Hazards Identification Study if applicable.

SCHEDULE B

NOTE: THIS PART OF THE CONSENT WILL NOT BECOME OPERABLE UNTIL COUNCIL ADVISES THAT THE MATTERS CONTAINED IN SCHEDULE A ARE SATISFIED.

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:
S94 Plan No. 4 (Version 4.0)
(Kingscliff - Commercial) | \$6,637.00 |
| b. Open Space (Casual):
S94 Plan No. 5 | \$1,150.00 |
| c. Open Space (Structured):
S94 Plan No. 5 | \$1,470.00 |

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- d. Extensions to Council Administration Offices
& Technical Support Facilities \$2,380.00
S94 Plan No. 18
- e. Cycleways \$620.00
S94 Plan No. 22

- 2. A **certificate of compliance** (CC) under Part 3 Division 2 of the Water Supply Authorities Act 1987 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

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 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water: \$11,286.00

Sewer: \$9,306.00

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

GENERAL

- 3. The development shall be completed in general accordance with Plan Nos 99069-A2, 99069-A3, 99069-A4, 99069-A5, 99069-A6, 99069-A7 prepared by CBD Consultants and dated 27/10/1999 and 6/10/1999, except where varied by these conditions.
- 4. 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.
- 5. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve.
- 6. 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
- 7. 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.

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- Please note:** Timber retaining walls will not be accepted.
8. 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 Council 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.
 9. 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:
 - 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.
 10. 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.
 11. Manufacturers certification is to be provided to the PCA from the Roof Truss manufacturer to certify the roof truss design.
 12. 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

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has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.

13. All trade materials, product and plant to be kept within confines of the building at all times.
14. 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)

15. 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.
16. 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.
17. It is a condition of this approval that, if an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must comply with the following:
 - (i) The person must, at the person's own expense:
 - a. preserve and protect the building from damage; and
 - b. if necessary, underpin and support the building in an approved manner.
 - (ii) The person must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work.
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

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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
- (b) that the service was (as at the date on which it was inspected and tested) found to have been properly implemented and capable of performing to a standard not less than that required by the most recent fire safety schedule for the building for which the certificate is issued.

Please note that all Essential Services listed on the schedule below must be certified on an annual basis as per the provision of section 80GB of the Environmental Planning and Assessment Regulation 1994.

Fire Safety Schedule

Minimum Standard of Design

Essential Fire Safety Measure

Installation and Maintenance

Access panels, doors and hoppers to fire resisting shafts
Emergency Lighting

AS1905-1997(Part 1)
“Fire Resistant Door Sets”
AS2293-1998
“Emergency Lighting
Evacuation Lighting in
Buildings” Part 1 - Design &
Installation
Part 2 - Inspection &
Maintenance”

Exit Signs

AS2293-1998
“Emergency Evacuation
Lighting in Buildings. Part 1
Design & Installation.
Part 2 Inspection &
Maintenance”

Automatic Fire Detection &
Alarm Systems

AS1670-1995
“Automatic Fire Detection &
Alarm Systems - System
Design Installation &
Commissioning”

Fire Doors

AS1905.1
“Components for the protection
of openings in fire resistant
walls”

Fire Hydrant Systems

AS2419-1994
“Fire Hydrant Installations
System Design, Installation &
Commissioning”

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Hose Reel Systems	AS1221-1991 “Fire Hose Reels”
Mechanical Ventilation & Air Conditioning Systems	AS1668-1991(Part 2) “The Use of Mechanical Ventilation & Air Conditioning in Buildings.
Portable Fire Extinguishers	AS2444-1995 “Portable Fire Extinguishers Selection & Location”
Smoke Dampers	AS1668-1991(Part 1) “The Use of Mechanical Ventilation & Air Conditioning in Buildings. Part 1 Fire & Smoke Control”

Smoke Detectors & Heat Detectors

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. 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.
22. 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.
23. All existing essential fire safety measures are to be certified by a qualified person to the effect that each of the fire safety measures has been assessed and were found to be performing to a standard not less than that to which it was originally designed.

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.

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FIRE (BUILDING)

25. All plumbing penetration will require fire stop callers if not already fitted.
26. All doorways in stair shafts of the basement will be required to be protected or FRL rating equivalent to that required for fire walls for Class 7 at 120/120/120.
27. All existing and proposed mechanical ventilation is to comply with the current Building Code of Australia requirements.
28. Emergency lighting and exit signs are to be provide to the whole of the basement area.
29. An automatic smoke detection and alarm system complying with specification E2.2a is to extend to cover the whole of the basement area as required by the current requirements of the Building Code of Australia.
30. All fire service connections are to be compatible with those of the NSW Fire Brigade.
31. 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 installed in Class 2 and 3 buildings and Class 4 part of a building in accordance with the provisions of Specification E2.2a of the Building Code of Australia. Smoke alarms must be installed:
 - (i) within each sole occupancy unit, located on o near the ceiling in any storey -
 - (A) containing bedrooms -
 - (aa) between each part of the sole occupancy unit containing bedrooms and the remainder of the sole occupancy unit; and
 - (bb) where bedrooms are served by a hallway, in that hallway; and
 - (B) not containing any bedrooms, in egress paths; and
 - (ii) in a building not protected with a sprinkler system, in public corridors and other internal public spaces, located in accordance with the requirements for smoke detectors in AS 1670 and connected to activate a **building occupant warning system** in accordance with Specification 2.2a(6) of the Building Code of Australia which states:

A building occupant warning system must comply with Clause 8.7 of AS 1670 to sound through all occupied areas except-

- a) in a Class 2 and 3 building or Class 4 part provided with a smoke alarm system:
 - (i) the sound pressure level need not be measured within a sole occupancy unit if a level of not less than 85dB(A) is provided at the door providing access to the sole occupancy unit; and
 - (ii) the inbuilt sounders of the smoke alarms may be used to wholly or partially meet the requirements.

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

DRAINAGE/FLOODING

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32. All roof waters and water from open car park areas 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.
33. All surface runoff from sealed driveway, car parking areas and the like, is to be piped to the street.

ENVIRONMENT PROTECTION

34. Activities in the swimming pool area shall be restricted to between 7am and 7pm Monday to Sunday.
35. No waste materials are to be deposited into the adjacent reserve.
36. Existing vegetation within the adjacent reserve is to remain, whilst existing vegetation on the southern property boundary is to remain where possible. In this regard, due care and consideration is required during the construction period.
37. Private access to the adjacent beach reserve is to be limited to that point shown on the stamped plans.
38. 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.
39. All battered areas are to be topsoiled and grassed, or other suitable protection provided as soon as filling is placed adjacent to neighbouring properties.
40. 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.
41. 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.
42. 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.
43. 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.
44. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.

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45. The burning of builders waste on site by open fire is prohibited.
46. All activities associated with the occupancy of the building are to comply with the Noise Control Act 1975 and the Clean Air Act 1961.

PLUMBING/DRAINAGE

47. 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, prior to the erection of brick work or any wall sheeting;
 - c external drainage prior to backfilling.
 - d completion of work.
48. A. A 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.
49. 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.
50. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
51. 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.
52. 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.
53. Impervious floors, properly graded and drained are to be provided to the bathroom.
54. 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 3500.1-1990 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.
55. Prior to commencement of building works provide hydraulic drawings on the proposed sewer drainage systems including pipe sizes, details of materials and discharge temperatures.
56. 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

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* 50°C 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.

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

2. Proposed Amendment to Development Control Plan No 3 - Sullivans' Land.

GT1/DCP/3 Pt8

1813

Cr Polglase
Cr Marshall

RESOLVED that Council prepares and exhibits an amendment to Development Control Plan No 3 in respect of Sullivans' land, Fraser Drive, Tweed Heads South, which:

1. Deletes the lake subject to:
 - The protection of low lying residential properties from local Q100 inundation; and the maintenance of Q100 flows from the property to the east, through the subject property to Terranora Creek.
 - Inclusion of appropriate water quality and flow concentration controls prior to any discharge from the drain into the adjoining wetlands.
 - The provision of compensatory open space in accordance with AMCORD that contributes to the identity of the subject land.
2. Amends land identified as Residential B to Residential A subject to no reduction of total population yield for the subject land and a satisfactory urban design.
3. Removes the area allocated as local shopping centre/neighbourhood business and replaces it with a notation indicating local shopping.
4. Identifies a controlled access point from Fraser Drive and deletes the schematic road layout.

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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

3. Draft Tweed Local Environmental Plan (LEP) 1987 (Amendment No 104).

GT1/LEP/A104 Pt1

1814

Cr Polglase
Cr Davidson

RESOLVED that :-

1. In accordance with Section 68 of the Environmental Planning and Assessment Act 1979, the exhibited draft Plan be amended as shown by Figure 3(b), and forwarded to the Director of the Department of Urban Affairs and Planning requesting that the Minister make the Plan to amend Tweed Local Environmental Plan 2000.
2. Council advise the applicant that the following will be required as part of the proposed four (4) lot subdivision:
 - i) A ten (10) metre building setback (restriction to use) from the rear of Lots 29-31 (bushfire hazard buffer) as shown in Figure 2;
 - ii) No buildings or flammable material to be constructed within the 10 metre setback (swimming pools are permissible);
 - iii) A 1.3m non-flammable post and wire fence to be constructed at the rear boundary of the proposed 4 lots;
 - iv) In consultation with Council's Recreation Services Unit, erect a sign within the Council Reserve at the rear of the proposed 4 lots indicating the area is wildlife habitat and that dumping of rubbish or garden refuse is prohibited;
 - v) Provision is made to capture stormwater runoff from the rear of the proposed 4 lots, including drainage easement to convey runoff to a proposed water quality control pond;
 - vi) Provision is made for the control of dogs, similar to conditions imposed in Subdivision Approval S94/44.

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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	

4. **Development Application K00/389 for Eleven (11) Swing Moorings at Lot 268 DP 865924 (The Anchorage Harbour), Mariners Drive East, Tweed Heads**

DA3346/40 Pt1

1815

Cr Luff

Cr Marshall

RESOLVED that this item be deferred on the request of the applicant.

Voting - Unanimous

5. **Pottsville Waters Stage 9 - Development Consent S96/90 - Naming of Proposed Street**

GS4/96/90 Pt3

1816

Cr Luff

Cr Boyd

RESOLVED that the proposed name "Peter Court" not be approved as it is inconsistent with Councils Road Naming Policy.

AMENDMENT

Cr Davidson

Cr Beck

PROPOSED that the name "St Peters Court" be approved.

The Amendment was **Lost**

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

The Motion was **Carried**

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Voting For

Cr Boyd
Cr Carroll
Cr James
Cr Lawrie
Cr Luff
Cr Marshall

Voting Against

Cr Beck
Cr Brinsmead
Cr Davidson
Cr Polglase
Cr Youngblutt

1817

Cr Luff

Cr Carroll

RESOLVED that the name "Petersberg" Court be suggested to the applicant as an appropriate name for a street in Pottsville Waters Estate Stage 9.

Voting For

Cr Boyd
Cr Brinsmead
Cr Carroll
Cr Davidson
Cr Luff
Cr Polglase
Cr Youngblutt

Voting Against

Cr Beck
Cr James
Cr Lawrie
Cr Marshall

**6. Additions and Alterations to Tweed Heads Hospital at Lot 628 DP
755740 Florence Street, Tweed Heads**

DA2800/60 Pt1 K00/372

1818

Cr Boyd

Cr Luff

RESOLVED that :-

- A. Council approves the proposed alterations and additions to Tweed Heads Hospital at Lot 628 DP 755740 Florence Street, Tweed Heads and submit the conditions listed below to the applicant seeking the Department of Health's approval in accordance with the Environmental Planning & Assessment Act, 1979.

PRE-REQUISITES

1. A **certificate of compliance** (CC) under Part 3 Division 2 of the Water Supply Authorities Act 1987 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.
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 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

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Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Water: \$102,600
Sewer: \$84,600

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

GENERAL

2. The development shall be completed in general accordance with Plans Nos DA-A01, DA-A05 dated 13/3/2000, DA-A02, DA-A03, DA-A04, DA-A06 dated 16/3/2000 and SD-L01 dated 13/3/2000 prepared by NSW Department of Public Works, except where varied by these conditions.
3. 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.
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.
5. 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.
6. Landscaping of the site shall be carried out in accordance with the submitted landscaping plans and recommendations of the flora and fauna assessment.
7. 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.
8. All demolition works are to observe the guidelines set down under the Environment Protection Authority publication "A Renovators Guide to the Dangers of Lead".
9. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve unless approval is obtained from Council..

ROADS/STREETS

10. A concrete ribbon footpath 1.2 metres wide and 75 millimetres thick is to be constructed on a compacted base along the frontage of the site to Florence Streets as shown on the approved site plan. The compacted base is to achieve 95% of maximum dry density determined in accordance with AS1289 5.4.1 for a minimum 100mm depth. A full depth construction joint

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- is to be provided at 6.0 metre intervals and 20 millimetre deep groove joints provided every 1.5 metres, the balance area to be graded to the kerb and turfed. The footpath is to have a 3% crossfall which must be attained at each side boundary. This may result in work to be undertaken on the footpath at adjoining properties which must not exceed 1:14 and must be reinstated with turf. The footpaving is to be located 800 millimetres from the property boundary. An inspection of the formwork is to be arranged with Council's Engineering Services Division prior to concrete being placed.
11. Prior to occupation of the building, all disused invert crossings are to be removed and replaced with kerb and gutter and all disused driveways across the footpath are to be removed and replaced with topsoil and turf to the satisfaction of the Director, Engineering Services.
 12. The owner or contractor must not undertake any work within the public road reserve without giving Council's Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.
 13. The provision of adequate vehicular access in accordance with Council's "Access to Property" pamphlet, including the provision of an invert crossing at the kerb and gutter and paving of the driveway across the footpath to the front alignment. 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.
 14. Two way driveways are to be constructed a minimum 7 metres wide at the property boundary and 13 metres wide at the kerb line with a uniform taper if a splay is specified.
 15. One way driveways are to be constructed a minimum 4 metres wide at the property boundary and 6 metres wide at the kerb line with a uniform taper if a splay is specified.
 16. The concrete driveways across the footpath are to be 200 millimetres thick minimum and reinforced with F82 mesh with 40mm cover.

PLUMBING AND DRAINAGE

17. Prior to commencement of works provide a minimum of three (3) copies of hydraulic drawings on the proposed water supply system and sewer drainage systems including pipe sizes, details of materials and discharge temperatures. Drawings shall be accompanied by a schedule of works outlining the various stages of construction to allow Council to determine the applicable inspection fee charges.
18. 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, prior to the erection of brick work or any wall sheeting;
 - c external drainage prior to backfilling.

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- d. completion of work.
- 19. A. A 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.
- 20. 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.
- 21. A trade waste application form must be completed and approved before discharge to sewer commences.
- 22. 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 3500.1-1990 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.

ENVIRONMENT PROTECTION

- 23. Carpark flood lighting is not to spill beyond the boundaries of the site so as to cause a nuisance to occupiers of adjacent residential premises.
- 24. 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.
- 25. All reasonable steps shall be taken to ensure the use to be conducted does not cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, fumes or the like.
- 26. The burning off of trees and associated vegetation felled by clearing operations is not permitted unless such burning is carried out in a specially constructed pit provided with an air curtain over the top. Separate approval is required prior to any burning.
- 27. 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 unless prior notice has been given to Council.
- 28. Prior to commencement of building works all required sedimentation and siltation control measures are to be installed and operational. Erosion and sedimentation control devices should be installed in accordance with the publication "Managing Urban Stormwater Soils and Construction" prepared by the NSW Department of Housing. All erosion and sedimentation control shall be maintained throughout the period of construction.
- 29. 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.

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- 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.
30. All stormwater gully lintels shall have the following notice **cast** into the top of the lintel: **'DUMP NO RUBBISH, FLOWS INTO CREEK'** or similar wording to the satisfaction of the Director of Development Services.
31. Appropriate measures are to be put in place during the construction period to prevent the transport of sediment from the site. Should any material be transported onto the road or any spills occur it is to be cleaned up within one hour of occurrence.
32. The burning of builders waste on site by open fire is prohibited.
33. 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.
34. Any proposed cooling tower installation must also include details on the proposed means of back flow prevention to the water supply prior to installation.
35. The peak stormwater flow rates that may be discharged from the site to the public drainage system in events of intensity up to and including the ARI 100 year design storm are:
To existing Council pit in Keith Compton Drive 200l/sec
To existing Council pit at north eastern end of Solander Street 150l/sec
These constraints may be met by a selection or combination of the following
Adjust internal catchment areas discharging to each Council pit
On site detention (OSD),
On site retention (eg infiltration)
Obtain necessary approvals and construct separate stormwater outfall to the Tweed River
Detention storage may be incorporated into surface depressions in landscaping or car parking areas. The maximum water depth under design conditions in vehicle parking areas shall be 200mm. OSD devices including discharge control pits (DCP) are to comply with standards in The Upper Parramatta River Catchment Trust “On-Site Stormwater Detention Handbook, Second Edition 1994”) except that permissible site discharge (PSD) and site storage requirements (SSR) in the handbook do not apply to Tweed Shire. All these works and the connection to Councils drainage system shall be constructed in accordance with design calculations, plans and specifications submitted to the Director of Engineering Services. prior to the commencement of works.
36. (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

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- 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.
- (c) Prior to commencement of works 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 must be submitted to the Director Engineering Services.
37. The provision of a bus shelter to Councils Standard design in Powell Street.
- B. Should the applicant dispute any of the proposed conditions, as a matter of urgency, Council write to the Minister for Urban Affairs and Planning, seeking resolution of the conditions in dispute.

AMENDMENT

Cr Polglase

Cr Youngblutt **PROPOSED** that :-

- A. Council approves the proposed alterations and additions to Tweed Heads Hospital at Lot 628 DP 755740 Florence Street, Tweed Heads and submit the conditions listed below to the applicant seeking the Department of Health’s approval in accordance with the Environmental Planning & Assessment Act, 1979.

GENERAL

2. The development shall be completed in general accordance with Plans Nos DA-A01, DA-A05 dated 13/3/2000, DA-A02, DA-A03, DA-A04, DA-A06 dated 16/3/2000 and SD-L01 dated 13/3/2000 prepared by NSW Department of Public Works, except where varied by these conditions.

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3. 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.
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.
5. 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.
6. Landscaping of the site shall be carried out in accordance with the submitted landscaping plans and recommendations of the flora and fauna assessment.
7. 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.
8. All demolition works are to observe the guidelines set down under the Environment Protection Authority publication "A Renovators Guide to the Dangers of Lead".
9. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve unless approval is obtained from Council..

ROADS/STREETS

10. A concrete ribbon footpath 1.2 metres wide and 75 millimetres thick is to be constructed on a compacted base along the frontage of the site to Florence Streets as shown on the approved site plan. The compacted base is to achieve 95% of maximum dry density determined in accordance with AS1289 5.4.1 for a minimum 100mm depth. A full depth construction joint is to be provided at 6.0 metre intervals and 20 millimetre deep groove joints provided every 1.5 metres, the balance area to be graded to the kerb and turfed. The footpath is to have a 3% crossfall which must be attained at each side boundary. This may result in work to be undertaken on the footpath at adjoining properties which must not exceed 1:14 and must be reinstated with turf. The footpaving is to be located 800 millimetres from the property boundary. An inspection of the formwork is to be arranged with Council's Engineering Services Division prior to concrete being placed.
11. Prior to occupation of the building, all disused invert crossings are to be removed and replaced with kerb and gutter and all disused driveways across the footpath are to be removed and replaced with topsoil and turf to the satisfaction of the Director, Engineering Services.
12. The owner or contractor must not undertake any work within the public road reserve without giving Council's Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this

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condition may result in a stop work notice being issued and/or rejection of the works undertaken.

13. The provision of adequate vehicular access in accordance with Council's "Access to Property" pamphlet, including the provision of an invert crossing at the kerb and gutter and paving of the driveway across the footpath to the front alignment. 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.
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15. One way driveways are to be constructed a minimum 4 metres wide at the property boundary and 6 metres wide at the kerb line with a uniform taper if a splay is specified.
16. The concrete driveways across the footpath are to be 200 millimetres thick minimum and reinforced with F82 mesh with 40mm cover.

PLUMBING AND DRAINAGE

17. Prior to commencement of works provide a minimum of three (3) copies of hydraulic drawings on the proposed water supply system and sewer drainage systems including pipe sizes, details of materials and discharge temperatures. Drawings shall be accompanied by a schedule of works outlining the various stages of construction to allow Council to determine the applicable inspection fee charges.
18. 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, prior to the erection of brick work or any wall sheeting;
 - c external drainage prior to backfilling.
 - d. completion of work.
19. A. A 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.
20. 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.
21. A trade waste application form must be completed and approved before discharge to sewer commences.
22. 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 3500.1-1990 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.

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ENVIRONMENT PROTECTION

23. Carpark flood lighting is not to spill beyond the boundaries of the site so as to cause a nuisance to occupiers of adjacent residential premises.
24. 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.
25. All reasonable steps shall be taken to ensure the use to be conducted does not cause disruption to the amenity of the locality, particularly by way of the emission of noise, dust, fumes or the like.
26. The burning off of trees and associated vegetation felled by clearing operations is not permitted unless such burning is carried out in a specially constructed pit provided with an air curtain over the top. Separate approval is required prior to any burning.
27. 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 unless prior notice has been given to Council.
28. Prior to commencement of building works all required sedimentation and siltation control measures are to be installed and operational. Erosion and sedimentation control devices should be installed in accordance with the publication "Managing Urban Stormwater Soils and Construction" prepared by the NSW Department of Housing. All erosion and sedimentation control shall be maintained throughout the period of construction.
29. 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.
30. All stormwater gully lintels shall have the following notice **cast** into the top of the lintel: '**DUMP NO RUBBISH, FLOWS INTO CREEK**' or similar wording to the satisfaction of the Director of Development Services.
31. Appropriate measures are to be put in place during the construction period to prevent the transport of sediment from the site. Should any material be transported onto the road or any spills occur it is to be cleaned up within one hour of occurrence.
32. The burning of builders waste on site by open fire is prohibited.
33. 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

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chemical treatment of such plant every three (3) months in accordance with Part 6 of the NSW Public Health Act.

34. Any proposed cooling tower installation must also include details on the proposed means of back flow prevention to the water supply prior to installation.

35. The peak stormwater flow rates that may be discharged from the site to the public drainage system in events of intensity up to and including the ARI 100 year design storm are:

To existing Council pit in Keith Compton Drive 200l/sec

To existing Council pit at north eastern end of Solander Street 150l/sec

These constraints may be met by a selection or combination of the following

Adjust internal catchment areas discharging to each Council pit

On site detention (OSD),

On site retention (eg infiltration)

Obtain necessary approvals and construct separate stormwater outfall to the Tweed River

Detention storage may be incorporated into surface depressions in landscaping or car parking areas. The maximum water depth under design conditions in vehicle parking areas shall be 200mm. OSD devices including discharge control pits (DCP) are to comply with standards in The Upper Parramatta River Catchment Trust "On-Site Stormwater Detention Handbook, Second Edition 1994") except that permissible site discharge (PSD) and site storage requirements (SSR) in the handbook do not apply to Tweed Shire. All these works and the connection to Councils drainage system shall be constructed in accordance with design calculations, plans and specifications submitted to the Director of Engineering Services. prior to the commencement of works.

36. (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

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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.

- (c) Prior to commencement of works 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 must be submitted to the Director Engineering Services.
37. The provision of a bus shelter to Councils Standard design in Powell Street.
- B. Should the applicant dispute any of the proposed conditions, as a matter or urgency, Council write to the Minister for Urban Affairs and Planning, seeking resolution of the conditions in dispute.

The Amendment was **Lost**

Voting For

Cr Brinsmead
Cr Polglase
Cr Youngblutt

Voting Against

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

The Motion was **Carried**

Voting For

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

Voting Against

Cr Polglase

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7. Proposed Marina, Riverfront Restaurant and Kiosk, Chinderah Bay Drive, Chinderah

DA4030/3750 Pt6

1819

Cr Luff
Cr Boyd

RESOLVED that the development application K00/206 submitted by Chris Lonergan and Associates for the erection of a marina, foreshore restaurant, kiosk and associated facilities at Tweed River (Crown Land) and Chinderah Bay Drive Road Reserve (as marked on approved plans) over two (2) stages be approved on a “deferred commencement” basis subject to the following:-

“Deferred Commencement”

This consent shall not operate until the applicant satisfies the consent authority by producing satisfactory evidence relating to the matters set out in Schedule “A”. Such evidence is to be provided within six (6) months of the date of notification.

Upon the consent authority being satisfied as to compliance with the matters set out in Schedule “A”. The consent shall become operative and take effect from the date of notification under Section 67 of the Environmental Planning and Assessment Regulations subject to the conditions set out in Schedule “B”.

SCHEDULE “A”

Conditions imposed pursuant to Section 80(3) of the Environmental Planning and Assessment Act, 1979 and Section 67 of the Regulations as amended.

1. That documentation be submitted to the satisfaction of the Director of Development Services demonstrating that the sale and/or lease of the land has been finalised in accordance with Council’s resolution of 17 May 2000.

SCHEDULE B

NOTE: THIS PART OF THE CONSENT WILL NOT BECOME OPERABLE UNTIL COUNCIL ADVISES THAT THE MATTERS CONTAINED IN SCHEDULE A ARE SATISFIED.

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, Tumbulgun Road, Murwillumbah and Brett Street, Tweed Heads.

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Stage 1 - Marina

- a. Tweed Road Contribution Plan: \$17,035.00
S94 Plan No. 4 (Version 4.0)
(Kingscliff - Commercial)
- b Extensions to Council Administration Offices
& Technical Support Facilities \$69.00
S94 Plan No. 18

Stage 2 - Restaurant, Kiosk, Public Toilets and Offices

- a. Tweed Road Contribution Plan: \$15,888.00
S94 Plan No. 4 (Version 4.0)
(Kingscliff - Commercial)
- b Extensions to Council Administration Offices
& Technical Support Facilities \$138.00
S94 Plan No. 18

2. A **certificate of compliance** (CC) under Part 3 Division 2 of the Water Supply Authorities Act 1987 is to be obtained from Council to verify that the necessary requirements for the supply of water and sewerage to the development have been made with the Tweed Shire Council.

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 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

Annexed hereto is an information sheet indicating the procedure to follow to obtain a Certificate of Compliance:

Stage 1 - Marina

Water: \$19,836
Sewer: \$16,356

Stage 2 - Restaurant, kiosk, public toilets and offices

Water: \$14,227
Sewer: \$11,731

These charges to remain fixed for a period of twelve (12) months from the date of this consent and thereafter in accordance with the rates applicable in Council's adopted Fees and Charges current at the time of payment.

Note: The Environmental Planning and Assessment Act, 1979 (as amended) makes no provision for works under the Water Supplies Authorities Act, 1987 to be certified by an Accredited Certifier.

GENERAL

3. The development shall be completed in general accordance with Plan Nos 1, 2, 3, LM00-CH36, 4, 5, 6, 7 and 8 prepared by Chris Lonergan, Lawmer Pty Ltd, Sinclair Knight Merz and JP Ward and dated 17/2/2000 and 13/6/2000, except where varied by these conditions.
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.

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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. 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.
7. 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.
8. 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.
9. Advertising structures/signs to be the subject of a separate development application, where statutorily required.
10. No items or goods are to be stored or displayed outside the confines of the premises.
11. Provision shall be made for the collection of builder's solid waste in accordance with the following requirements:
 - a. A temporary builder's waste chute is to be erected to vertically convey builder's debris to a bulk container.
 - b. The chute shall be located in a position approved by the Principal Certifying Authority.
 - c. A canopy shall be provided to the chute outlet and container to reduce the spillage of materials and nuisance caused by dust.
12. 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.
13. A garbage storage area shall be provided in accordance with Council's "**Code for Storage and Disposal of Garbage and Other Solid Waste**".
14. A balustrade or barrier more than four (4) metres above finished ground level must not be provided with horizontal elements to facilitate climbing as prescribed under the provisions of the Building Code of Australia.
15. 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

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16. 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 Council 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.
17. 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:
 - 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.
18. 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.
19. 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.

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20. 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.
21. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve.
22. Details are to be submitted on proposed colour schemes of the building/marina to the satisfaction of the Director Development Services prior to release of construction certificate.
23. Parking associated with the proposal is to be completed prior to occupation of premises and completion of marina.
24. The riverbank is to be revetted in accordance with the bank revetment strategy adopted by Council for Chinderah and Council's Riverbank Management Plan - future detailed design to be the subject of the approval of Director Engineering Services.
25. Condition Nos. 92, 93, 95, 96, 97 and 100 of Development Consent 99/400 are to be adhered to where relevant to this consent.
26. The proponents shall consult with Council in relation to ownership and maintenance responsibilities pertaining to the proposed public toilet and picnic shelter facilities within the site.

PRESCRIBED (BUILDING)

27. 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.
28. 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.
29. 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.
30. 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).

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31. 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.
32. 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)
33. Prior to occupation of the building a Occupation Certificate is to be obtained. If Council is requested to issue the Occupation Certificate, the application must be accompanied by relevant Compliance Certificates or documentary evidence of compliance.
34. 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)

35. 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.

FIRE (BUILDING)

36. All fire service connections are to be compatible with those of the NSW Fire Brigade.
37. 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.
38. All materials used in the building must comply with the smoke developed and spread of flame indices specified in Specification C1.10 of the Building Code of Australia.

Note: Many materials including some timbers such as western red cedar do not comply and it is the applicants responsibility to ensure that all materials to be used are within the criteria specified.

DISABLED (BUILDING)

39. Please note that while the proposal, subject to the conditions of approval, will comply with the provisions of the Building Code of Australia for

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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.

40. 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.
41. 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.
42. 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.
43. Tactile ground surface indicators for orientation of people with vision impairment are to be provided in accordance with Australian Standard AS1428.4-1992.
44. Disabled car parking spaces are to be provided at the rate of one (1) car parking space for each one hundred (100) spaces or part thereof and constructed in accordance with Australian Standard AS2890.1-1993.

ACCESS/EGRESS

45. All required egress doors are to, at all times, be openable from within the building by single handle downward action or pushing action without recourse to a key and on a single device located between 900 millimetres and 1.2 metres from the floor unless exempted under the provisions of Part D2.21 of the Building Code of Australia. No barrel bolts are to be fitted.
46. Exit signs which comply with Part E4.5 of the Building Code of Australia and are designed in accordance with Part E4.8 of the Building Code of Australia are to be provided. Exit signs shall be mounted between 2m and 2.5m above floor level and shall be of a maintained type.

FOOD PREMISES

47. Any premises used for the storage, preparation or sale of food are to comply with the relevant provisions of the Food Act, 1989. Details of fittings and equipment are to be submitted to the Principal Certifying Authority prior to installation.
48. Prior to the commencement of work the Principal Certifying Authority is to be provided with and approve details of the kitchen exhaust system. Such details are to include the location of discharge to the air, capture velocity, size of hood and angle of filters. The system shall comply with Australian Standards SAA 1668 Part 2 Ventilation Requirements.
49. 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

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smooth even finish to ceiling. **Note:** Stud framed walls will not be acceptable.

50. 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.
51. Intersections of all floors with walls or the like in the food preparation and food storage areas are to be coved to a radius of not less than 25 millimetres.
52. Premises to comply with Council's adopted code for the construction of food premises.
53. Windows and doors opening into food preparation and storage areas are to be fully screened in accordance with Council's adopted code for the construction of food premises.

ROADS/STREETS

54. The owner or contractor must not undertake any work within the public road reserve without giving Council's Engineering Services Division forty eight (48) hours notice of proposed commencement. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.
55. Construct along the full length of the site to Chinderah Bay Drive and River Street kerb and gutter on an approved alignment. Details to be provided on Engineering Plans and approved by Director Engineering Services prior to commencement of works.
56. Detailed engineering plans for all works on public land are to be submitted and approved by the Director Engineering Services prior to commencement of works. The plans are to include the following:-
 - a. the transition from the proposed cross section to the existing road cross section at both ends of the site
 - b. any proposed on street car parking
 - c. right turn details for junction with Chinderah Bay Drive and River Street
 - d. kerb and gutter and road pavement details
 - e. Bus bay and bus shelter on property side of Chinderah Bay Drive
 - f. linemarking and signage details to RTA standards
 - g. compliance with Austroads Standards for geometric road design
 - h. relocation of any public utilities as a result of the works are to be approved by relevant Authority
 - i. footpath details for full frontage of Chinderah Bay Drive and River Street

DRAINAGE/FLOODING

57. Building materials used below Council's minimum floor level of RL 3.6m AHD must not be susceptible to water damage.
58. Provision to be made for a flood free storage area for stock and equipment susceptible to water damage.

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59. Subject to the requirements of NorthPower, all electrical wiring, power outlets, switches, etc, should, to the maximum extent possible be located above the design flood level. All electrical wiring installed below the design flood level should be suitably treated to withstand continuous submergence in water.
60. All roof waters and water from open car park areas 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.

SERVICES

Sewer

61. 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.
62. **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

63. Development is to be carried out in accordance with Management Recommendations and Amelioration measures as contained within Fauna and Flora assessment prepared by JP Ward and Associates and dated October 1999 as they relate to this development consent.
64. The proposal shall be carried out in accordance with the provisions of the Seagrass Management Plan prepared by J P Ward and dated October 1999.
65. 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.
66. All battered areas are to be topsoiled and grassed, or other suitable protection provided as soon as filling is placed adjacent to neighbouring properties.
67. 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.
68. 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.
69. The burning off of trees and associated vegetation felled by clearing operations is not permitted unless such burning is carried out in a specially constructed pit provided with an air curtain over the top. Separate approval is required prior to any burning.
70. 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.

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71. 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.
72. The burning of builders waste on site by open fire is prohibited.
73. All activities associated with the occupancy of the building are to comply with the Noise Control Act 1975 and the Clean Air Act 1961.
74. Prior to commencement of building works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority. Erosion and sedimentation control devices should be installed in accordance with the publication "Managing Urban Stormwater Soils and Construction" prepared by the NSW Department of Housing. All erosion and sedimentation control shall be maintained throughout the period of construction.
75. An acid sulfate soil management plan shall be prepared in accordance with the ASSMAC Manual (1998), and submitted for approval of the Director of Environment and Community Services prior to commencement of development. Any subsequent works shall comply with this approved acid sulfate soil management plan.
76. An erosion and sediment control plan shall be submitted for approval of the Director of Environment and Community Services prior to commencement of site works. Any subsequent works shall comply with this approved plan.
77. A report by a suitably qualified acoustic consultant which assesses operational noise sources from the marina and demonstrates that noise levels will comply with relevant NSW EPA noise criteria limitations at any receiving premises shall be submitted for approval of the DECS prior to the commencement of construction. The marina operational noise levels shall subsequently comply with the identified approved noise limits.
78. A suitably enclosed and screened area for waste storage receptacles shall be provided to the satisfaction of the Director of Environment and Community Services.
79. A management plan for the construction phase of the marina and river bank modifications (specific details of the construction methods for the marina and environmental protection measures to be employed) is required to be submitted for approval of the Director of Environment and Community Services prior to the commencement of construction. Any subsequent works shall comply with this approved construction management plan.

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80. An operational management plan for the marina is required to be submitted for approval of the Director of Environment and Community Services prior to the commencement of construction. Any subsequent works shall comply with this approved operational management plan. The plan shall include sufficient information in respect of the following issues:
- limitations and restrictions on maintenance of vessels
 - liquid and solid wastes
 - stormwater disposal
 - hours of operation
 - noise restrictions and management
 - sewage, bilge water and grey water
 - fuel storage, management and safety
 - litter management
 - erosion control during construction
 - an environmental safety and emergency response plans
 - no external painting, anti-fouling, re-fitting or sanding of vessels shall be conducted at the marina
 - no motor repairs, oil changes or refuelling, other than fuel dispensing at the designated refuelling jetty, shall be conducted at the marina
 - vessels shall not be lifted from the water or lowered into the water (slipway or hoist) at the marina
 - waters shall not be polluted from any activity at the marina
 - existing mangroves or riparian vegetation shall not be disturbed or removed in constructing or operating the development
- A Seagrass Management Plan shall be submitted for the approval of the Director of Environment and Community Services prior to the commencement of construction. All subsequent works shall comply with the approved plan.
- relevant licenses or approvals required to be obtained from the NSW EPA under the Protection of the Environment Operations Act, 1997 shall be obtained prior to the commencement of construction or operation as applicable.
- toilet facilities for public usage are to be properly maintained at all times.

PLUMBING/DRAINAGE

81. 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, prior to the erection of brick work or any wall sheeting;
 - c external drainage prior to backfilling.
 - d. completion of work.
82. A. A 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.
83. 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.
84. It is a condition of this consent to operate a system of sewage management that this clause is complied with.
- (1) 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.
 - (2) 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.
 - (3) 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.
 - (4) 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.
85. Drainage lines must not penetrate footings unless certification is first obtained from a practising Structural Engineer.
86. A trade waste application form must be completed and approved before discharge to sewer commences.
87. Dual flush water closet suites are to be installed in accordance with Local Government Water and Sewerage and Drainage Regulations 1993.
88. All water plumbing pipes concealed in concrete or masonry walls shall be fully lagged.
89. 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 3500.1-1990 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.
90. 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.
91. Any discharge of a pollutant greater than or differing (in constitution) from domestic usage requires the submission of an application for a trade waste licence. Such application to be made prior to release of the approved building plans and/or prior to any use or occupation of the premises, whichever occurs earlier.
92. A hose tap is to be provided adjacent to the grease arrestor and shall be fitted with a double check valve for the purposes of back flow prevention.

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93. Prior to commencement of building works provide hydraulic drawings on the proposed sewer drainage systems including pipe sizes, details of materials and discharge temperatures.
94. 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.

NSW FISHERIES CONDITIONS

95. The proposed development is designed and constructed in accordance with Integrated Development Application No. K00/206 as lodged by the proponent.
96. The proponent must obtain a Section 201 (dredging and reclamation) permit from NSW Fisheries prior to commencement of any works below mean high water mark associated with the development, namely the construction of marina facilities and boardwalk.
97. The proponent must obtain a Section 205 (harm to marine vegetation) permit if any marine vegetation is to be harmed during construction of the marina or boardwalk. Note that the term "harm" includes trimming, cutting, damaging or shading of Seagrass or Mangroves.

RTA CONDITIONS

98. The proposed speed calming devices shall comply with the requirements of Technical Direction 98/6. This includes excluding pedestrian access on the raised platforms used specifically for speed calming.
99. The proposed marked pedestrian crossing will need to meet current warrants for installation. If the warrants cannot be met pedestrian refuges should be considered.

Voting - Unanimous

8. **Bonding of Incomplete Works - Development Consents K99/675; K99/681, S97/93 and K99/865 - Villa World Limited, Gollan Drive/Scenic Drive, Tweed Heads West
GS4/97/93 Pt2; DA2270/610 Pt4 & DA2270/605 Pt1**

1820

Cr Boyd

Cr Marshall

RESOLVED that :-

1. An uncompleted works bond of \$263,000.00 be accepted for a period of 6 months in lieu of completing additional car parking spaces as required by Development Consents S97/93; K99/675; K99/681 and K99/865.

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2. An uncompleted works bond for an amount to be approved by the Director Development Services and a written undertaking by North Sydney Leagues Club that noise levels will not exceed 5dba above the background noise level at the most affected residence in the subdivision until attenuation works are completed be accepted in lieu of providing sound attenuation works at the Seagulls Club, for a period of 9 months.

AMENDMENT

Cr James
Cr Luff

PROPOSED that an uncompleted works bond of \$263,000.00 be accepted for a period of 6 months in lieu of completing additional car parking spaces as required by Development Consents S97/93; K99/675; K99/681 and K99/865.

The Amendment 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

The Motion was **Carried**

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

TEMPORARY ABSENCE FROM MEETING

GC6/1/2 Pt1

Cr Youngblutt left the meeting.

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9. Tweed Local Environmental Plan, Reclassification of Land.

GT1/LEP/2000/1 Pt1

1821

Cr Boyd

Cr Marshall

RESOLVED that Council informs the Regional Director of the Department of Urban Affairs and Planning, pursuant to S54 of the Environmental Planning and Assessment Act, that it intends to prepare a draft Local Environmental Plan to reclassify land within the Local Government area from community to operational; and that in its opinion an Environmental Study is not required.

Voting - Unanimous

RETURN TO MEETING

GC6/1/2 Pt1

Cr Youngblutt returned to the meeting.

LATE ITEM

GC6/4

1822

Cr Boyd

Cr Luff

RESOLVED that Item 9a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

Voting - Unanimous

9a. Report on Exhibition of Draft Tweed Local Environmental Plan 2000/1.

GT1/LEP/2000/1 Pt1

This report was withdrawn on the advice of the Director of Development Services.

REPORTS FROM DIRECTOR CORPORATE SERVICES

10. Tweed Economic Development Strategy Framework.

Industrial Matters - General; Economic Development Strategy

1823

Cr Polglase

Cr Davidson

RESOLVED that Council:

1. Adopts the Tweed Economic Development Strategy Framework and its associated implementation plan and working group.
2. Approves the structure of the Industrial Land Taskforce and its associated work program, with due note that this taskforce will oversee the implementation of the action plan necessary to progress the work identified in the "Potential Industrial Land Investigation" Report adopted by Council on 5 April, 2000 (Resolution 1451).
3. Nominates an elected representative for the Industrial Land Taskforce.

AMENDMENT

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Cr Luff

Cr Marshall **PROPOSED** that this item be deferred until a Workshop is held between TEDC, TACTIC and Council.

The Amendment was **Lost**

Voting For

Cr James
Cr Luff
Cr Marshall
Cr Youngblutt

Voting Against

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

The Motion was **Carried**

Voting For

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

Voting Against

Cr James
Cr Luff
Cr Marshall

Cr Carroll

Cr Luff **PROPOSED** that Cr Boyd be the Council representative on the Industrial Land Taskforce.

AMENDMENT

1824

Cr Polglase

Cr Youngblutt **RESOLVED** that Cr Brinsmead be the Council representative on the Industrial Land Taskforce.

The Amendment was **Carried**

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

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

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

11. Assignment of Licence Agreement - Air Space over footpath Lot 1 DP772755 Murwillumbah Street, Murwillumbah.

PF3640/690 Leases-Ccl Ppy

1825

Cr Polglase

Cr Lawrie

RESOLVED that :

1. The licence agreement with Mr Graham and Mrs Joanne Ewing for the airspace over Lot 1 DP772755 Murwillumbah Street, Murwillumbah be transferred to Messrs Manmohan Singh Janda, Amarjeet Kaur Janda, and Satwart Kaur Rai.
2. All necessary documentation be completed under the Common Seal of Council.

Voting - Unanimous

12. Request for Donation - Australian War Memorial Foundation

Donations

1826

Cr Boyd

Cr Carroll

RESOLVED that Council donates \$250.00 to the Australian War Memorial Foundation

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Voting For

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

Voting Against

Cr Lawrie
Cr Luff

13. Performance Review of Tweed and Coolangatta Tourism Inc (TACTIC) and Tweed Economic Development Corporation (TEDC) TACTIC & TEDC

1827

Cr Luff

Cr Marshall

RESOLVED that prior to any changes in the structure of, or changes to agreements between TEDC, TACTIC, TSTCC and Tweed Shire Council,

1. Councillors be supplied with the details of any proposed change, after which -
2. A Workshop be held to allow Councillors to ask questions regarding:-
 - a) the proposed role of committees, persons and entities, their powers and responsibilities
 - b) proposed reporting to/communication with Council and rewriting of performance agreements
 - c) proposals for readvertising key paid positions
 - d) the progress of any proposals which have been identified as furthering the goals of the organisations above, for instance "common marketing"
 - e) the progress of amalgamation/co-operation with regard to financial acquittal, handing over of responsibilities for programs.

1828

Cr Youngblutt

Cr Boyd

RESOLVED that an extension of 3 minutes be granted to Cr Luff.

Voting - Unanimous

The Motion was **Carried**

Voting - Unanimous

Minutes - Ordinary Meeting of Tweed Shire Council

14. Quarterly Council Vehicle Accident Report

GI1/4 Pt6

1829
Cr Boyd
Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

15. Monthly Investment Report for Period Ending 31 May 2000 Monthly Investment Report

1830
Cr Boyd
Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

LATE ITEM GC6/4

1831
Cr Boyd
Cr James

RESOLVED that Item 15a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

Voting - Unanimous

15a. Renewal of Council's Insurance Portfolio for the Period 1 July 2000 to 30 June 2001 Insurance-General

1832
Cr Luff
Cr James

RESOLVED that Council enters into an insurance contract with various companies for the following policies for the period 1 July 2000 to 30 June 2001 on the following basis and premiums:-

1. Industrial Special Risk	Premium \$46,868.83 (plus GST)
Insurer: NSW Local Government (Jardines) Mutual Liability Scheme known as Statewide.	
Total Asset Value	
Section 1: All Property	\$68,603,000
Machinery Breakdown	\$100,000
Boiler Explosion	\$20,000
Computer Breakdown Hardware	\$1,000,000
Section 2: Consequential Loss	\$10,200,000
Total:	\$78,803,000

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Limits of Liability:

Sections 1 & 2 combined **\$100,000,000**

Sub-limits of Liability:

Liability shall be further limited to any one loss/anyone situation as follows:-

Section 1 - Material Loss or Damage

	\$
Accidental damage	2,000,000
Accidental damage Artworks	200,000
Burglary/theft (other than money)	2,000,000
Money (including whilst in transit)	1,000,000
Removal of debris	5,000,000
Reproduction of records	5,000,000
Extra cost of reinstatement	2,000,000
Expediting costs	200,000
Fusion	20,000
Transit - Artworks	40,000
Property in open air (including theft)	100,000
Damage to glass Replacement Value	
General property	100,000
Liability to Make Enquiries	100,000
Loss of Land Value	200,000
Landscaping	50,000
Docks, wharves and piers	50,000
Bridges, canals, dams, reservoirs, roadways, tunnels and railway tracks	50,000
Flood	N/A
Subsidence	N/A
Personal Property/Social Clubs	50,000
Jewellery/Furs	10,000
Machinery breakdown	100,000
Machinery breakdown - deterioration of stock	N/A
Boiler explosion	20,000
Computer breakdown - hardware	1,000,000
Computer breakdown - software/data restoration	N/A

Section 2 - Consequential Loss

Item 1 - Gross Profit	Nil
Item 2 - Claims Preparation Costs and Proving Costs	Nil
Item 3 - Payroll	Nil
Item 4 - Increased Cost of Working	10,000,000
Item 5 - Computer breakdown increased cost of working	Nil
Item 6 - Loss of Gross Rentals	Nil

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Item 7 - Accounts Receivable	Nil
Item 8 - Fines or Penalties	200,000
Indemnity Period as defined	12 Months

Council should note that the inclusion of a Sub Limit of Liability does not automatically constitute cover under the Mutual for that item. Protection will only apply if the damage is sustained, via a protected peril, to a declared situation on the asset schedule.

Deductibles:

1. In respect of property where loss is caused by earthquake, subterranean fire or volcanic eruption:
 - a) An amount equal to 1% of the Total Declared Values at the Situation where the damage occurs; or
 - b) \$20,000, whichever is the lesser.

The current variable deductibles are listed below for the ensuing protection period.

2. Personal Property/Social Clubs	\$100
3. General Property	\$1,000
4. Flood	Not Covered
5. Machinery breakdown	\$1,000
6. Boilers and Pressure Vessels	\$1,000
7. Computer breakdown	Not Covered
8. All other causes	\$1,000

2. Motor Vehicle Premium \$76,053.00 (plus GST)

Insurer: Zurich Australian Insurance Ltd

Based on schedule of vehicles provided and vehicles acquired during the period of insurance.

Included all vehicles (including fixtures, fitting, plant, equipment and accessories therein or thereof), including trailers owned or loan leased, rented, hired or used by the insured.

Deductibles:

Insured to bear the first each and every loss	\$1,000
Automatic repair authority	\$2,000
Automatic additions and deletions limit	\$150,000

3. Public Liability - Casual Hirers Premium: \$1,115.00 (plus GST)

Insurer: St Paul International

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Section 1 - Limit of liability any one occurrence **\$5,000,000**

Section 2 - Limit of liability any one occurrence and in the aggregate any one period of insurance **\$5,000,000**

Deductible:

Each and every loss **\$500**

4. Marine Hull **Premium: \$1,980.00 (plus GST)**

Insurer: Associated Marine Insurers Agents Pty Ltd

On two (2) aluminium flood boats, including motors and trailers.

Sum Insured:

Section 1 **\$18,000**

Section 2 **\$5,000,000**

Deductible: **\$250**

Voting - Unanimous

REPORTS FROM DIRECTOR ENGINEERING SERVICES

16. Tweed River Water Quality Update
Estuary Management, Water Quality - Catchment

1833

Cr Luff

Cr Polglase

RESOLVED that :-

1. This report be received and noted.
2. The draft "Interim Water Quality Management Plan" be referred to TRMPAC for finalisation.

Voting - Unanimous

17. Proposed Road Closure and Purchase - Adjacent to Lot 7 DP 619717, Fernvale Road, Fernvale

GR3/12/1

1834

Cr Polglase

Cr Davidson

RESOLVED that :-

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1. Council approves the proposal to close and purchase part of Fernvale Road adjacent to Lot 7 DP 619717.
2. The applicant bears all legal and survey costs involved.
3. The applicant purchases the subject land for a price based on a pro-rata calculation of the adjoining land as determined by the Valuer General.
4. All documentation be executed under the Common Seal of Council.

Voting - Unanimous

- 18. Tender EC200057 - Manufacture, Supply and Delivery of 450 dia Pressure Pipe - Precis of Confidential Item**

Stores and Materials

1835

Cr Polglase

Cr Davidson

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

Voting - Unanimous

- 19. EQ200030: Licence to Operate Water Based activities on Waterways in the Tweed Shire Area - Precis of Confidential Item**

Licence - Aquatic

1836

Cr Polglase

Cr Davidson

RESOLVED that this report be considered in the Confidential Agenda.

Voting - Unanimous

- 20. Coastline Hazard Definition Study - Precis of Confidential Item**
Coastline Hazard Definition Study

1837

Cr Polglase

Cr Davidson

RESOLVED that details of the proposals received be considered in the Confidential Agenda

Voting - Unanimous

- 21. EC200026: Supply and Delivery of Fuels - Precis of Confidential Item**

Petrol and Oils

1838

Cr Polglase

Cr Davidson

RESOLVED that this item be considered under the Confidential Agenda.

Voting - Unanimous

Minutes - Ordinary Meeting of Tweed Shire Council

22. Long Distance Walking Trails

Walking Trails

1839

Cr Boyd

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

23. Establishment of Alcohol - Free Zones Around Tweed Heads and Murwillumbah Civic Centres

PF4030/383 Pt5, PF4030/3835 T H Civic Centre, PF5570/400 Mbah Civic Centre

1840

Cr Boyd

Cr Davidson

RESOLVED that Council approves the proposal to establish an alcohol-free zone to include the road and carparks associated with the Tweed Heads and Murwillumbah Civic Centres. The zone is to operate 24 hours per day for a maximum period of three (3) years.

Voting - Unanimous

24. NSW Cultural Summit 2000

GC7/72, Cultural Development

1841

Cr Boyd

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

25. Northern Rivers Catchment Management

Total Catchment Management

1842

Cr Luff

Cr Carroll

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM SUB-COMMITTEES

1. Minutes of the Tweed River Management Plan Advisory Committee Meeting held 7 June 2000

File Ref: River Management

Minutes - Ordinary Meeting of Tweed Shire Council

2. Southern Boatharbour

River Management

1843

Cr Boyd

Cr Marshall

RESOLVED that Council pursues the establishment of a suitable public jetty in the Southern Boatharbour as a pick up and set down facility for commercial operations.

Voting - Unanimous

5. Duffy Street Constructed Wetland - Funding

River Management

1844

Cr Boyd

Cr Marshall

RESOLVED that the shortfall in funding be financed by amending the works program and transferring \$80,000 from the allocation for Ukerebagh Passage and the balance from stormwater projects allocation.

Voting - Unanimous

11. Tweed Water Management Committee

River Management

1845

Cr Marshall

Cr Youngblutt

RESOLVED that Council:-

1. Accepts the offer from the Northern Rivers Water Management Committee for TRMPAC to work in partnership with it to expedite the development of water quality and flow targets as well as guidelines for ecosystem conservation for the subcatchment level on the Tweed River.
2. Submits Council's nomination of Cr Boyd to the Local Government & Shire Association for the vacant position of Local Government Representative (alternate) on the Northern Rivers Water Management Committee.

1846

Cr Boyd

Cr James

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

Voting - Unanimous

2. Minutes of the Tweed Coastal Committee Meeting held 7 June 2000 Coastal Committee

1. Backwash from Pools Going to Stormwater

Minutes - Ordinary Meeting of Tweed Shire Council

Coastal Committee

1847

Cr Marshall

Cr Luff

RESOLVED that:-

1. Council undertakes inspection of pool installations and publicises the requirement for filter backwash to be discharged to sewer, not stormwater.
2. Advice be given to NSW Waterways that the Committee supports its proposal for speed limits for all vessels in Cudgen, Cudgera and Mooball Creeks at 4 knots below the bridge, 8 knots above the bridge, with a complete ban on PWCs (Jet Skis) above boat ramps in each Creek.

Voting - Unanimous

5. Cudgen Creek Siltation

Coastal Committee

Cr Luff

Cr James

PROPOSED that the maintenance of a navigable channel for boating in Cudgen Creek is a State government issue, as acknowledged by a spokesperson for Minister Amery and that it is not considered appropriate to allocate Council Coastal Estuary management funds to such projects

AMENDMENT

1848

Cr Beck

Cr Marshall

RESOLVED that:-

1. The maintenance of a navigable channel for boating in Cudgen Creek is a State government issue, as acknowledged by a spokesperson for Minister Amery and that it is not considered appropriate to allocate Council Coastal Estuary management funds to such projects
2. An approach be made to the appropriate authority requesting an allocation of funds from the Coastal Estuary Management program to maintain a navigable channel for boating in Cudgen etc.
3. A copy of this motion be sent to the Local Member, Mr Neville Newell with a request for his support.

The Amendment was **Carried**

Minutes - Ordinary Meeting of Tweed Shire Council

Voting For

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

Voting Against

Cr Carroll
Cr James

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

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

1849

**Cr Boyd
Cr Luff**

RESOLVED the balance of the Minutes of the Tweed Coastal Committee Meeting be adopted.

ADJOURNMENT OF MEETING

GC6/4

Adjournment for dinner at 6.30pm.

RESUMPTION OF MEETING

GC6/4

The Meeting resumed at 7.30pm.

OUTSTANDING INSPECTIONS

GC6/13 Pt4

1. Council Land - Mt Nullum

This items was received and noted.

Minutes - Ordinary Meeting of Tweed Shire Council

ORDERS OF THE DAY

1. Notice of Rescission - Cr Marshall, Cr Davidson and Cr Polglase Blue Lighting/Needle Disposal Bins in Public Places

Drugs Related Matters, Notice of Rescission

1850

Cr Marshall

Cr Davidson

RESOLVED that Council resolution at Minute No 1769 in relation to Item 32 of the Meeting held 7 June 2000 being:-

“that Council:-

1. Installs needle disposal bins in all the identified “hot-spot” toilets.
2. Allocates the necessary funding at its budget review in September.
3. Installs one (1) standing park needle disposal bin within the public park area of Ebenezer Park carpark”

be rescinded."

Voting For

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

Voting Against

Cr Brinsmead
Cr Carroll
Cr James
Cr Luff

1851

Cr Marshall

Cr Davidson

RESOLVED that Council:-

1. Installs needle disposal bins in all the identified “hot-spot” toilets.
2. Allocates the necessary funding at its budget review in September.
3. Installs one (1) standing park needle disposal bin within the public park area of Ebenezer Park carpark.
4. Trials the installation of “blue lights” in one third of the “hot spot” toilets.

Voting - Unanimous

DECLARATION OF INTEREST

Schools - Chillingham, Council Purchase of Land, Notice of Motion

Cr Boyd

Declared an interest in Item No 2, left the Chamber and took no part in the discussion and voting.

The nature of the interest is that Cr Boyd is a member of the Church which owns the subject land.

Minutes - Ordinary Meeting of Tweed Shire Council

2. Notice of Motion - Cr Polglase Chillingham Pre-School

Schools - Chillingham, Council Purchase of Land, Notice of Motion

1852

Cr Polglase
Cr Beck

RESOLVED that the General Manager, under delegated authority, endeavours to assist the Chillingham Pre-School to secure the property they operate from, so that they have ongoing permanent use.

Voting - Unanimous

RETURN TO MEETING

GC6/1/2 Pt1

Cr Boyd returned to the meeting.

3. Notice of Motion - Cr Lawrie Organisational Restructure

Council Management, Notice of Motion

Cr Lawrie

Cr Brinsmead

PROPOSED that the General Manager be directed to forthwith implement that part of Minute No 1555 requiring the bringing forward of a "submission incorporating an organisational restructuring and reduction of overheads to achieve economies of operation".

MOTION OF CENSURE

Cr Lawrie

Cr Youngblutt

PROPOSED a Motion of Censure against Cr Luff.

The Motion was **Lost**

Voting For

Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

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

1853

Cr Luff

Cr Carroll

RESOLVED that an extension of 3 minutes be granted to Cr Boyd.

Voting - Unanimous

Minutes - Ordinary Meeting of Tweed Shire Council

The Motion was **Lost**

Voting For

Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

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

**4. Notice of Motion - Cr Lawrie
Hire of Civic Centres**

Notice of Motion, TH Civic Ctr - Hire

Cr Lawrie

Cr Youngblutt **PROPOSED** that Council reimburses Mr John Murray the sum of \$138.00 for the hire charge of Tweed Heads Civic Centre auditorium on 13 June 2000.

The Motion was **Lost**

Voting For

Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

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

QUESTION TIME

Unregistered Dogs - Infringement Notice

Dog Registration

Cr Polglase

Asked whether Council's rangers (dog catchers) give a warning to owners of unregistered dogs before issuing a infringement notice.

The Director Environment and Community Services responded that no warning is given as a lot of resources are spent on checking for unregistered dogs. To give warnings means a lot of residents will not register until they get a warning. This is also unfair to those who have registered their dogs. Council's message is that if you have an unregistered dog, an infringement notice will be issued.

Minutes - Ordinary Meeting of Tweed Shire Council

Byangum Road - Accident Scene

R0880 Pt2

Cr Beck

Enquired whether Council has taken any steps to prevent a recurrence of the 3 accidents last weekend at 108 Byangum Road when three vehicles in separate incidents left the road.

The Director Engineering Services responded that he has undertaken a safety audit on Byangum Road and that this matter will be further considered by the Local Traffic Committee at its meeting on Thursday 22 June 2000.

Cr Davidson confirmed the Director's comments that the Local Traffic Committee would be considering this matter at its next meeting.

Pacific Highway, Murwillumbah

R4031 Pt12

Cr Marshall

Asked what is being done about the condition of that section of the Pacific Highway which is falling into the river at Murwillumbah.

The Director Engineering Services responded that this section of the Highway is the responsibility of the Roads and Traffic Authority who have been contacted previously and that further contact will be made to encourage a permanent rectification prior to the Highway being handed over to Council.

TEMPORARY ABSENCE FROM MEETING

GC6/1/2 Pt1

Cr Luff left the meeting.

COMMITTEE OF THE WHOLE

GC6/16 Pt2

1854

Cr Boyd

Cr Marshall

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:-

RETURN TO MEETING

GC6/1/2 Pt1

Minutes - Ordinary Meeting of Tweed Shire Council

Cr Luff returned to the meeting.

1855

Cr James

Cr Davidson

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 10.05pm.



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 61 of these Minutes**

Chairman