

# Minutes - Meeting of Tweed Shire Council

## IN ATTENDANCE

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

Also present were Dr John Griffin (General Manager), Mr Mike Rayner (Director Engineering Services), Mr Garry Smith (Acting Director Development Services), Mr Geoff Edwards (Acting Director Environment & Community Services), Mr Ian Carpenter (Director Corporate Services), Mr Reg Norvill (Manager Financial Services), Mr Brian Donaghy (Manager Administration Services/Public Officer) and Mrs Kerrie McConnell (Minutes Secretary).

## ABSENT

Nil

## DISCLOSURE OF INTEREST

Nil

## REPORTS THROUGH GENERAL MANAGER

### REPORTS FROM DIRECTOR CORPORATE SERVICES

#### 26. Management Plan 2001/2004 and Budget 2001/2002

Management Plans, Budget

1115

Cr Polglase

Cr Boyd

**RESOLVED** that:-

1. Council's 2001/2004 Management Plan be adopted and the 2001/2002 Budget be amended to include \$30,000 for the weekend maintenance of public toilets, \$30,000 to address the issue of cleaning the duck pond in Murwillumbah, which can be reviewed in the first quarter, and allocate \$15,000 to support the Alcohol and Drug Foundation and the Budget be adjusted to remain balanced by the General Manager making appropriate changes.
2. An application be made to the Minister for Local Government for a special increase of 1.25% for Special Rate in the Casuarina Beach locality above the allowable limit of 2.8%.
3. An "opinion" in accordance with Section 495(2) of the Local Government Act 1993 has been formed on the Special Rates proposed to be levied in 2001/2002.
4. That the funds from the General Purpose component of \$176,188 and the local roads component of \$151,656 from the financial assistance grants adjustment be applied to rural roads.

# Minutes - Meeting of Tweed Shire Council

## AMENDMENT 1

Cr Luff

Cr James

**PROPOSED** that:

1. Council's 2001/2004 Management Plan be adopted and the 2001/2002 Budget be amended to include \$30,000 for the weekend maintenance of public toilets, \$30,000 to address the issue of cleaning the duck pond in Murwillumbah, which can be reviewed in the first quarter, and allocate \$15,000 to support the Alcohol and Drug Foundation and the Budget be adjusted to remain balanced by the General Manager making appropriate changes.
2. An application be made to the Minister for Local Government for a special increase of 1.25% for Special Rate in the Casuarina Beach locality above the allowable limit of 2.8%.
3. An "opinion" in accordance with Section 495(2) of the Local Government Act 1993 has been formed on the Special Rates proposed to be levied in 2001/2002.
4. That the \$75,000 in 1. be provided for in the general purpose component of the financial assistance grant and the remaining \$101,188, together with the local roads component, being \$151,656, be allocated for roads.

1116

Cr Luff

Cr Boyd

**RESOLVED** that an extension of 1 minute be granted to Cr James.

### 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

*C. F. Beck*

CHAIRMAN

# Minutes - Meeting of Tweed Shire Council

Amendment 1 was **Lost**

**Voting For**

Cr Carroll  
Cr Luff

**Voting Against**

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

**AMENDMENT 2**

**Cr James**

**Cr Luff**

**PROPOSED** that:

1. Council's 2001/2004 Management Plan be adopted and the 2001/2002 Budget be amended to include \$30,000 for the weekend maintenance of public toilets, \$30,000 to address the issue of cleaning the duck pond in Murwillumbah, which can be reviewed in the first quarter, and allocate \$15,000 to support the Alcohol and Drug Foundation, \$100,000 parks maintenance and the Budget be adjusted to remain balanced by the General Manager making appropriate changes.
2. An application be made to the Minister for Local Government for a special increase of 1.25% for Special Rate in the Casuarina Beach locality above the allowable limit of 2.8%.
3. An "opinion" in accordance with Section 495(2) of the Local Government Act 1993 has been formed on the Special Rates proposed to be levied in 2001/2002.
4. The funds for the additional \$175,000 expenditure come from the increase in the general purpose component grant on items listed in 1. and \$151,656 local roads component grant be spent on roads.

Amendment 2 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

# Minutes - Meeting of Tweed Shire Council

The Motion was **Carried**

**Voting For**

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

**Voting Against**

Cr James  
Cr Luff

**LATE ITEM**

**1117**

**Cr Boyd**

**Cr Marshall**

**RESOLVED** that Item 26a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

**Voting - Unanimous**

**26a. Kingscliff - Paradiso Development**

**DA3340/325 Pt2**

**1118**

**Cr Marshall**

**Cr Davidson**

**RESOLVED** that Council endorses the issue of the letter contained in the report.

**Voting - Unanimous**

**REPORTS FROM DIRECTOR ENGINEERING SERVICES**

**30. Tweed River Sand Bypassing Project**

**GR1/6 Pt8, Sand By-pass**

**1119**

**Cr Marshall**

**Cr Davidson**

**RESOLVED** that :-

1. This report be received and noted.
2. A subsidy of up to \$5,000 be sought from the Department of Land & Water Conservation for the development of a dune management plan for Duranbah Beach consistent with the EIS for the Sand Bypassing Project.

**Voting - Unanimous**

*C. F. Beck*

CHAIRMAN

# Minutes - Meeting of Tweed Shire Council

## 31. NSW Floodplain Management Authorities Annual Conference

### Floodplain Management – Annual Conference

1120

Cr Luff

Cr Marshall

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

**Voting - Unanimous**

1121

Cr Boyd

Cr Marshall

**RESOLVED** that a meeting of the Floodplain Management Committee be held to discuss floodplain planning for East Murwillumbah.

**Voting - Unanimous**

## REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

### 32. Signage - The Anchorage

#### The Anchorage, Regulatory Signs, Parking - Illegal

1122

Cr Youngblutt

Cr Luff

**RESOLVED** that Council erects a sign on the beach indicated in Figure 1 of this report to advise unattended boats may be impounded. The final wording of the sign to be determined in consultation with Council's Solicitors.

**Voting - Unanimous**

### 33. Use of Council Building by Cabarita Headland Surf Life Saving Club

#### Surf Lifesaving - Cabarita Headland, 4100.30

1123

Cr Youngblutt

Cr Marshall

**RESOLVED** that Council:

1. Approves the continued temporary use of its building in Pandanus Parade, Cabarita Beach by the Cabarita Headland SLSC subject to regular inspection and verification of the building by a structural engineer.
2. Reviews the situation in June 2002.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## 34. Sale of SES Flood Boat

SES

1124

Cr Youngblutt

Cr Marshall

**RESOLVED** that Council proceeds to sell its flood boat, trailer and motor known as SES 111 and returns the profit from the sale to the Murwillumbah SES for new equipment purchase.

**Voting - Unanimous**

## 35. Crown Land - Les Burger Fields

Les Burger Fields, 1190.1240

1125

Cr Boyd

Cr James

**RESOLVED** that Council:

1. Requests Mr Neville Newell make representation to the Department of Land and Water Conservation on Council's behalf requesting the areas referred to as areas A and B in this report be placed under Council's management without the requirement for Council to purchase the land.
2. Discharges its notification requirements to perform works on these areas by providing procedural rights under the Native Title Act 1993.

**Voting - Unanimous**

## 36. Secure Storage Facility at Stotts Creek Waste Depot

Garbage – Stotts Ck Depot, Temp Storage Contaminated Soils

1126

Cr Marshall

Cr Davidson

**RESOLVED** that:

1. The report be received and noted.
2. Mr J Duyker and Mr F Moller be provided with a copy of this correspondence.

**Voting - Unanimous**

## 37. DLWC Acid Sulfate Soil Hot Spots Program

Pollution - Acid Sulfate Soils

1127

Cr Youngblutt

Cr Marshall

**RESOLVED** that Council accepts the:-

1. Role of site manager for the Cudgen Lake catchment acid sulfate soil hot spot under the Department of Land and Water Conservation's Acid Sulfate Soils Hot Spots Program.

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2. Funds of \$25,000 and votes the expenditure.

**Voting - Unanimous**

38. **National Drug Strategy Local Government Committee - Focussing on the Role Local Government in Advising Drug Related Problems**

**Drug Related Matters**

1128

**Cr Youngblutt**

**Cr Davidson**

**RESOLVED** that Council provides written response to the chairperson expressing support for the concept of an information network and a willingness to participate in order to exchange information on drug issues relevant to local government.

**Voting - Unanimous**

39. **Boulders on Foot Path in front of 45 Lalina Avenue, Tweed Heads West and Building Works Not in Accordance with Approval at 47 Lalina Avenue, Tweed Heads**

**DA3010/565 Pt1, DA3010/190 Pt1**

This item was moved into Confidential (Refer Minute No 1075 meeting held 6 June 2001) and was dealt with at Minute No C245 of the Confidential Agenda.

40. **Requirements for Wire Balustrade Construction**

**Building - Code**

1129

**Cr James**

**Cr Luff**

**RESOLVED** that Council:-

- (a) Endorses and adopts the current Council interpretation which will ensure that Council's legal interests are protected for those projects which Council is involved with.
- (b) Advises Balustrade Manufacturers and Accredited Certifiers operating in the area of Council's interpretation and recommend that they comply.
- (c) Forwards representations to the Australian Building Codes Board and the Australian Standards Association identifying the problem and requesting those Bodies provide guidelines or requirements within the Building Code of Australia and/or the appropriate Australian Standards to specify precise requirements for wire balustrade construction having regard to their flexible nature.

**Voting - Unanimous**

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## 41. Casuarina Beach Sculpture Proposal

Casuarina Beach Development, Art Gallery - General

1130

Cr Marshall

Cr Youngblutt

**RESOLVED** that Council approves the Gallery's management and administration of the Casuarina Beach Sculpture program on behalf of Consolidated Properties.

**Voting - Unanimous**

## 42. NSW Committee on Ageing - Public Consultations

Aged Services

1131

Cr Marshall

Cr Youngblutt

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

**Voting - Unanimous**

## 43. Multicultural Heritage Award for South Sea Islander Display

South Sea Islander Matters

1132

Cr Boyd

Cr Marshall

**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 Wednesday 4 April 2001

Tweed River Management Plan

### 9. Program Status

Estuary Management

1133

Cr Marshall

Cr Boyd

**RESOLVED** that Council receives and notes the recommendation of the Committee.

**Voting - Unanimous**



# Minutes - Meeting of Tweed Shire Council

## 6. Commercial Boat Operations on the Tweed Estuary

Boating, Regulatory Signs

1134

Cr Marshall

Cr Boyd

**RESOLVED** that Council authorises and erects signs at public wharves consistent with the Waterways Authority regulation to the effect that “vessels are not to be left unattended” and “vessels may tie-up for up to one hour only”.

**Voting - Unanimous**

## 3. Correspondence Inwards – Sewage Pollution from Vessels

Pollution – Water, Boating

1135

Cr Marshall

Cr Boyd

**RESOLVED** that Council requests the NSW Government to declare the tidal waters of the Tweed River and its tributaries a “No Discharge Zone” as per Action 2 outlined in the document “Sewage pollution from Vessels” produced by the Waterways Authority.

**Voting - Unanimous**

1136

Cr Marshall

Cr Boyd

**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 Wednesday 4 April 2001

File No: Coastal Committee

### 1. Correspondence Inwards - Fish Kill Protocols

Fisheries

1137

Cr Boyd

Cr Marshall

**RESOLVED** that Council invites NSW Fisheries to nominate a representative to the Tweed Coastal Committee.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## 2. Correspondence Inwards - Boat ramp, Mooball Creek

Boat Ramps, Mooball Creek

1138

Cr Boyd

Cr Marshall

**RESOLVED** that the Traffic Committee be requested to consider taking action to prohibit cars backing across Overall Drive in the vicinity of the Mooball Creek boat ramp.

**Voting - Unanimous**

## 5. Cudgera Creek Bridge Obstruction Removal - tender submission

Cudgera Creek

1139

Cr Boyd

Cr Marshall

**RESOLVED** that Council accepts the tender of \$34,750 submitted by G & S Richards Excavator Hire for removal of tidal obstructions in Cudgera Creek, to be funded through the Tweed Coastal Committee.

**Voting - Unanimous**

1140

Cr Boyd

Cr Marshall

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

**Voting - Unanimous**

## 3. Minutes of the Occupational Health and Safety Committee Meeting held Wednesday 9 May 2001

File No: Occupational Health & Safety

### 1. 4WD Training

Occupational Health & Safety

1141

Cr Marshall

Cr Boyd

**RESOLVED** that 4WD training be provided to staff who are required to operate 4WD vehicles.

**Voting - Unanimous**

1142

Cr Marshall

Cr Boyd

**RESOLVED** that the balance of the Minutes of the Occupational Health and Safety Committee Meeting be adopted.

# Minutes - Meeting of Tweed Shire Council

## Voting - Unanimous

4. **Minutes of the Tweed Dune Care Advisory Committee Meeting held Thursday 10 May 2001**

**Dunecare**

2. **Sand Bypass Advisory Committee**

**Sand Bypass – Advisory Committee**

**1143**

**Cr Boyd**

**Cr Polglase**

**RESOLVED** that Council planners investigate what erosion mark at Duranbah Beach was stated within the consent conditions of the Sand Bypass Commissioning Development Application and if present recession lines are consistent with the approval.

## Voting - Unanimous

4. **Fingal Dune Care Representative**

**Dune Care**

**1144**

**Cr Boyd**

**Cr Polglase**

**RESOLVED** that Kay Bolton be appointed to represent the Fingal Head Dune Care and Reafforestation Group on the Tweed Dune Care Advisory Committee.

## Voting - Unanimous

**1145**

**Cr Boyd**

**Cr Polglase**

**RESOLVED** that the balance of the Minutes of the Tweed Dune Care Advisory Committee Meeting be adopted.

## Voting - Unanimous

5. **Minutes of the Sports Advisory Committee Meeting held Tuesday 15 May 2001**

**Sports Advisory Committee**

2. **Tweed District Netball Association**

**Arkininstall Park**

**1146**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** that Council reimburses the Tweed District Netball Club for the costs associated with painting 48 netball posts from the Sportsfield Assets Reserve Funds to the amount of \$120.00.

## Voting - Unanimous

*C. F. Beck*

CHAIRMAN

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1147

Cr Polglase

Cr Marshall

**RESOLVED** that the balance of the Minutes of the Sports Advisory Committee Meeting be adopted.

**Voting - Unanimous**

6. **Minutes of the Local Traffic Committee Meeting held Friday 18 May 2001**

**Traffic Committee**

9. **Terranora Primary School, Terranora Road, Terranora**

**R5431 Pt3**

1148

Cr Polglase

Cr Marshall

**RESOLVED** that:-

1. School zone signage on Terranora Road be upgraded to provide larger signs.
2. Subject to the Terranora Public School constructing stairs and/or a pathway between the two car park driveways the school crossing be installed subject to normal RTA guidelines.

**Voting - Unanimous**

1. **Wollumbin Street and Byangum Road**

**R5940 Pt2, R0880 Pt2, DW600161**

1149

Cr Polglase

Cr Marshall

**RESOLVED** that:-

1. The current configuration at the intersection of Wollumbin Street and Byangum Road remain in place.
2. Local bus operators be approached to change their bus routes to include Prince Street and avoid the Wollumbin Street and Byangum Road intersection.

**Voting - Unanimous**

4. **Cudgen Road and Plantation Road**

**R1460 Pt3 DW601193 R4350**

1150

Cr Polglase

Cr Marshall

**RESOLVED** that warning signage for the school bus route along Cudgen Road and Plantation Road be installed.

**Voting - Unanimous**

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**6. Beryl Street, Tweed Heads**

**R0520**

**1151**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** that Council undertakes the installation of signage for two hour parking restrictions on the eastern side of Beryl Street, Tweed Heads between Frances and Florence Streets.

**Voting - Unanimous**

**12. Lakes Drive, West Tweed Heads**

**R5460 DW603376**

**1152**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** 50 kph zone signage be installed on the eastern section of Lakes Drive.

**Voting - Unanimous**

**14. Farrants Hill Road, Farrants Hill**

**R2000 Pt1**

**1153**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** that the sealed section of Farrants Hill Road be signposted as a 80kph speed zone.

**Voting - Unanimous**

**15. Eucalyptus Drive, Banora Point (Centaur Primary School)**

**R3035 Pt2 DW603957**

**1154**

**Cr Polglase**

**Cr Marshall**

**RESOLVED** that two additional 40kph school zone signs at each end of Eucalyptus Drive adjacent to Centaur Primary School be installed.

**Voting - Unanimous**

**1155**

**Cr Polglase**

**Cr Marshall**

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

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## ORDERS OF THE DAY

### 1. Civic Centre - Tweed Heads

Notice of Motion; Civic Centre - Tweed Heads - Hire

1156

Cr Boyd

Cr Beck

**RESOLVED** that Council makes the Tweed Heads Civic Centre available, free of charge, to the Tweed Heads Branch of the United Hospitals Auxiliary.

**Voting - Unanimous**

### 2. Code of Conduct

Notice of Motion; Code of Conduct

Cr Luff

Cr James

**PROPOSED** that Council censures the Mayor, Cr Beck for making no reprimand of Cr Youngblutt, nor asking him to desist, nor asking him to apologise to Cr Luff at the time when Cr Youngblutt, at the meeting of Council of 16 May 2001, said to her "shut up" and "you're an idiot".

Cr Beck is censured because of her failure to act fairly as chairperson, especially given that in her Mayoral Minute on 4 April 2001, she gave an assurance that "As Mayor I will enforce this Code of Meeting Practice equally to all without prejudice to any person involved." In that minute she said it was unacceptable for a Councillor to make "any rude, impolite or disrespectful remarks directed to any other Councillor". Her failure to take any action until almost an hour after Cr Youngblutt made these comments is especially unacceptable, since his insults were made merely because Cr Luff asked to see a document which Cr Brinsmead had tabled after he made serious, possibly slanderous allegations and remarks about others.

Cr Carroll

Cr James

**PROPOSED** that an extension of 2 minutes be granted to Cr Boyd.

#### 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

# Minutes - Meeting of Tweed Shire Council

## PROCEDURAL MOTION

1157

**Cr Polglase**

**RESOLVED** that the motion be put.

The Procedural Motion was **Carried**

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

The Motion was **Lost**

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

### 3. Code of Conduct – Meeting Procedure

#### Notice of Motion; Code of Conduct

**Cr Luff**

**Cr James**

**PROPOSED** that Council censures the Mayor, Cr Beck for her failure to conduct the meeting of Council on 16 May 2001 in accord with Council's Code of Conduct and conducting it not in accord with her Mayoral Minute made on 4 April 2001 on that subject.

Cr Beck is censured for her failure to put to the meeting a motion which had been duly placed on the meeting agenda by a Councillor and which motion was not unlawful. She is also censured for her failure to allow Cr Luff to move a motion of dissent on her decision as Chairperson to not put the abovementioned motion to the meeting, which conduct is inconsistent with her acknowledgement in her Mayoral Minute, that any Councillor may move a motion of dissent from a ruling of the chair.

The Motion was **Lost**

*C. F. Beck*

CHAIRMAN

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## 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

## WORKSHOPS PREVIEW

### 1. Bush Fire Risk Management Workshop

Workshop be held 27 June 2001 from 5.30-6.30pm.

### 2. Cities for Climate Protection

Workshop confirmed for 20 June 2001 from 2.00-3.00pm.

### 3. TACTIC Workshop – Funding Agreement

Workshop be held 27 June 2001 from 4.30-5.30pm.

### 4. Tourism Funding Options

Address by Heather Truman from Redland Tourism regarding tourism funding options on 27 June 2001 from 4.00-4.30pm.

## QUESTION TIME

Nil

## COMMITTEE OF THE WHOLE

1158

Cr Youngblutt

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:-



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## QUESTION TIME

### **Tweed Business and Community News Article**

#### **Staff Conduct, Code of Conduct, LEP – Kings Forest, LEP – Seaside City**

Asked:

1. Are you aware that the front page of the Tweed Business and Community News was collated and printed before Council's meeting on 16 May 2001 and that the allegations alluded to in the article entitled "What's Happening to Tweed Shire Council?", now the subject of a Local Government investigation, makes a mockery of your appeal to all Councillors, and those staff at the meeting to maintain strict confidentiality because of the very serious allegations made against three staff members and the severe impact the allegations could have on their careers and professional reputations?
2. Have you made contact with the proprietor of this publication in an endeavour to ascertain the source of the information contained in this article in view of the obvious breach of confidentiality? If not, why not?

Cr Beck advised that she has not spoken to the proprietor of this publication and that the article presented was printed prior to Mr Robert Bulford's address to Council.

## ITEMS DEFERRED IN COMMITTEE

### **Draft Local Environmental Study – Kings Forest**

**GT1/LEP2000/20 Pt3**

#### **C232**

That Council takes no action on the Kings Forest LES and Draft LEP and refrains from using them as documents upon which to make recommendations and decisions until the investigation by the Department of Local Government is completed.

#### **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

*C. F. Beck*

CHAIRMAN

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## REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES IN COMMITTEE

1. **Validity of Development Consent 96/519 for an Integrated Tourist Resort at Lot 5 DP 822786, Lot 31 DP 850230 Marana Street and Part Lot 5 DP 789875 Cobaki Road, Bilambil Heights**

DA3300/25 Pt1

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

*(a) personnel matters concerning particular individuals*

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

*(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*

C233

That this item be deferred.

**Voting - Unanimous**

### REPORTS FROM DIRECTOR CORPORATE SERVICES IN COMMITTEE

2. **Piggabeen Sports Complex Sub-division**

DA4300/820 Pt4

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

*(d) commercial information of a confidential nature that would, if disclosed:*

- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret*

C234

That Council:-

1. Receives and notes this report.
2. Accepts the offer to purchase land detailed in the body of this report.
3. All necessary documentation for the sale of the lots be completed under the Common Seal of Council.

**Voting - Unanimous**

3. **Street Parking**

**Parking – Illegal, Job Creation, Police**

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

*(d) commercial information of a confidential nature that would, if disclosed:*

- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret*

C235

That this report be received and noted.

**Voting - Unanimous**



CHAIRMAN

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## REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

### 4. Contract No. EC2001-12 - Annual Supply of Chemicals for Water and Sewage Treatment Plants and Pools

#### Contract Quotations – Annual Supply

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

*(d) commercial information of a confidential nature that would, if disclosed:*

- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret*

#### C236

That Council engages the following suppliers at the tendered rates under Contract EC2001-12 for the 12 month period until 30 June, 2002:-

- |  |  |
|--|--|
| 1. Incitec Industrial Chemicals<br>– Liquid Alum           | Bray Park WTP \$103.2/tonne<br>Murwillumbah STP\$103.2/tonne<br>Tumbulgum STP \$350/tonne<br>Uki WTP \$350/tonne |
| 2. Elite Chemicals – Sodium Hypochlorite, All Sites        | \$0.2775/litre   |
| 3. Elite Chemicals – Sodium Hydroxide, All Sites           | \$0.635/litre or \$409.05/tonne  |
| 4. Campbell Industrial Products<br>– Sodium Silicofluoride | \$910/tonne  |

#### Voting - Unanimous

### 5. EC200120 - Contract Truck Haulage

#### Contract Quotations – Annual Supply

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

*(d) commercial information of a confidential nature that would, if disclosed:*

- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret*

#### C237

That contracts be offered to the following:-

#### A Rate & B Rate

Name	%
P Lawler x 2	40
G Hughes	40
D Colleton	40

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J Byrne	40
J Middleton	40
A Blofield	40
J Leeman	39
M O'Keefe	35
C Moore x 8	31
Ready Tipper Hire x 3	30
G Watson	30

## C Rate

Name	%
Ready Tipper Hire	50
P Lawler x 2	45
G Hughes	45
D Colleton	45
J Leeman	44
M O'Keefe	42
C Moore x 3	40
I Brims	39

## D Rate

Name	%
Ready Tipper Hire	30
Ready Tipper Hire x 2	20
M Milsom	15
Hardings Earthmoving x 4	10
G Watson	10
C Reeve	6

**Voting - Unanimous**

*C. F. Beck*

CHAIRMAN

# Minutes - Meeting of Tweed Shire Council

## 6. EC200119 - Contract Plant Hire

Quotation – Plant/Equipment

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

*(d) commercial information of a confidential nature that would, if disclosed:*

- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret*

**C238**

That the following tenderers be offered contracts for the next two years:-

### A. Backhoes

	Rate/hr
1. Murnane Earthmoving	\$54
2. Hardings Earthmoving	\$55
3. L Wallace	\$59
4. Noel Haworth	\$63
5. K Rhodes	\$63
6. R Hardy	\$64

### B. Skid Steer Loaders

1. R Otte	\$35
2. B Backhouse	\$37.27
3. M & M Excavations	\$40
4. Byrnseys A1 Excavations	\$40
5. Ray Ruddy x 2	\$41
6. S Chapman	\$44

### C. Excavators

#### 25 – 30 tonne

1. R Otte	\$55
2. J Byrnes	\$70
3. I Taggett x 2	\$70
4. B Turner	\$90

#### 20 – 25 tonne

1. B Turner	\$52
-------------	------

# Minutes - Meeting of Tweed Shire Council

2.	D Quinn	\$55
3.	W Murnane	\$56
4.	I Taggett x 2	\$58
5.	I Byrnes	\$60

## 12 – 20 tonne

1.	R Otte	\$50
2.	I Taggett	\$55
3.	B Turner	\$58
4.	J Byrnes	\$65
5.	J Byrnes	\$75
6.	Reids Hire	\$76
7.	J Reeve	\$78

## 7 – 12 tonne

1.	Wills Excavation	\$60
2.	Gold Coast Earthmoving	\$75

## 5 – 7 tonne

1.	R Otte	\$40
2.	L Hall	\$47
3.	Wills Excavations	\$55
4.	J Reeve	\$57.50
5.	Ray Ruddy	60

## 2 – 5 tonne

1.	R Otte	\$37.50
2.	G Neilson	\$47
3.	J Tomlinson	\$53
4.	A Aspery	\$56
5.	K Rhodes	\$59

*C. F. Beck*

CHAIRMAN

# Minutes - Meeting of Tweed Shire Council

## D. Rubber Tyred Tractors

- |    |                         |         |
|----|-------------------------|---------|
| 1. | G Farrell x 2           | \$35.50 |
| 2. | Murnane Earthmoving x 3 | \$39.00 |
| 3. | P McLauchlin x 3        | \$40.45 |

## E. Cranes

- |    |              |       |
|----|--------------|-------|
| 1. | V Bianchetti | \$80  |
| 2. | Maccas Crane | \$115 |
| 3. | Strangs      | \$130 |
| 4. | Lindores     | \$130 |

## F. Concrete Pumps

- |    |             |       |
|----|-------------|-------|
| 1. | R Ploog     | \$95  |
| 2. | J Duckworth | \$125 |

## G. Water Trucks

- |    |                     |         |
|----|---------------------|---------|
| 1. | J Wise              | \$40    |
| 2. | C Reeve             | \$43.40 |
| 3. | Harding Earthmoving | \$45.00 |

## H. Flail Mowers

- |    |                       |         |
|----|-----------------------|---------|
| 1. | Eastcoast Slopemowers | \$51.50 |
| 2. | Murnane Earthmoving   | \$52    |
| 3. | P McLauchlin          | \$54.55 |

## I. Profilers

- |    |                     |      |
|----|---------------------|------|
| 1. | W D Enterprises x 2 | \$70 |
|----|---------------------|------|

## J. IT Utilities

- |    |                           |             |
|----|---------------------------|-------------|
| 1. | Network Truck Rentals     | \$36.36/day |
| 2. | Murwillumbah Truck Centre | \$45.00/day |

## K. Tilt Tray Trucks

- |    |                           |      |
|----|---------------------------|------|
| 1. | Maccas Crane              | \$50 |
| 2. | Murwillumbah Truck Centre | \$60 |

# Minutes - Meeting of Tweed Shire Council

## L. Tree Mulching

- 1. V Bianchetti \$45
- 2. P Harlock \$65

**Voting - Unanimous**

## 6a. Tweed Endeavour Cruises

**Wharf – River Terrace**

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

*(e) information that would, if disclosed, prejudice the maintenance of law*

**C240**

That Council seeks an adjournment of the current proceedings before the Supreme Court in the matter of Tweed Shire Council vs Tweed Endeavour Cruises for 2 months, with the liberty to have the matter re-listed with 7 days notice.

**Voting - Unanimous**

## REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

### 7. Contract HC 200090 Construction of Artificial Wetlands - Stotts Creek Landfill

**GC12/10 200090 Pt1**

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

*(d) commercial information of a confidential nature that would, if disclosed:*

- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret*

**C241**

That Council approves the following variations for contract HC 200090 for Construction of Artificial Wetlands Stotts Creek Landfill for the amount of \$8,346.00.

C	VARIATIONS				
1.	Reduced Quantity Item 5	Cu.m	921	10.00	(9,210.00)
2.	Increased Quantity Item 3	Cu.m	921	6.00	5,526.00
3.	Replace 600mm culvert with 900mm, including repairs to pipes & new headwalls	Item			1,400.00
4.	Supply and place Geofabric to sediment pond	Item			1,800.00
5.	Additional pipe required for outlet	Item			280.00
6.	Remove existing rubbish under access & replace with compacted fill	Item			5,140.00
7.	Cartage for additional topsoil (shortfall of onsite material)	Cu.m	300	2.00	600.00

*C. F. Beck*

CHAIRMAN



# Minutes - Meeting of Tweed Shire Council

C	VARIATIONS					
8.	Additional stone pitching to overflow weir & sediment basin spillway	Sq.m	180		30.00	5,400.00
9.	Delete Scheduled Items 19, 20 & 21					(2,500.00)
TOTAL VARIATIONS						<b>8,436.00</b>

## Voting - Unanimous

### 8. Building Without Consent Below Flood Level

DA4030/1840 Pt1

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

*(a) personnel matters concerning particular individuals*

**C242**

That Council does not serve an order under the provision of Section 121B of the Environmental Planning and Assessment Act on Mr S K Tilley and L A Tilley to order the removal of the sliding doors, fixed glass and frame from the north side of the ground floor walls and create clear openings to ground level where the current ground floor windows are located at Lot 31 Section 6 DP1223 Government Road, Tumbulgum and advises that further representation may be made to Council by 11 July 2001 and that it be noted on the building certificate that it does not comply with DCP5 in relation to the lower floor.

#### 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

### 9. Naming of Park known as Recreation Ground - Tweed Heads

Parks - Naming

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

*(a) personnel matters concerning particular individuals*

**C243**

That Council retains the name Recreation Ground and notifies the proponent of its decision.

The Motion was **Carried**

# Minutes - Meeting of Tweed Shire Council

**Voting For**

**Voting Against**

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

Cr James

**10. Centenary of Federation Peoplescape Project Nominations**

**Centenary of Federation**

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

*(a) personnel matters concerning particular individuals*

**C244**

That Council accepts the late nomination of Dr Betty Marks as the 'person of importance'.

**Voting For**

**Voting Against**

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

Cr James  
Cr Luff  
Cr Youngblutt

**REPORT MOVED FROM ORDINARY INTO CONFIDENTIAL**

**39. Boulders on Foot Path in front of 45 Lalina Avenue, Tweed Heads West and Building Works Not in Accordance with Approval at 47 Lalina Avenue, Tweed Heads**

**DA3010/565 Pt1, DA3010/190 Pt1**

**C245**

That this item be deferred to allow the applicants to address community access.

**Voting - Unanimous**

**1159**

**Cr James**

**Cr Luff**

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

**Voting - Unanimous**



CHAIRMAN

# Minutes - Meeting of Tweed Shire Council

There being no further business the Meeting terminated at 10.50pm.



**Minutes of Meeting Confirmed by Council**

**at Meeting held 20 June 2001**

**I hereby certify that I have authorised the affixing of my  
electronic signature to the previous pages numbered 1 to 158 of these Minutes**

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**Chairman**

*C. F. Beck*

CHAIRMAN

# Minutes - Meeting of Tweed Shire Council

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*C. F. Beck*

CHAIRMAN