

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

Cr Carroll was not present at the commencement of the meeting.

Also present were Mr Don Buckley (Acting General Manager), Mr Mike Rayner (Director Engineering Services), Mr Garry Smith (Acting Director Development Services), Mr Stewart Brawley (Acting Director Environment & Community Services), Mr Reg Norvill (Acting Director Corporate Services), Mr Brian Donaghy (Manager Administration Services/Public Officer) and Mrs Kerrie McConnell (Minutes Secretary).

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

"There is no fear in love. Perfect love drives out fear. (I John 4:18)
Almighty God, we need Your wisdom and guidance as we address the challenges which lie before us. We ask Your blessing upon our Councillors who have been elected by the people of our Shire to make the decisions which will enrich our lives and bring our Shire to its full potential. O Lord our God, You know them; You know their needs, their motives, their hopes and their fears. Loving God, put Your arms around them; strengthen them and give them wisdom greater than their own. May they hear Your voice and seek Your guidance.

Father God, help us to remember that You know every detail of our life. You are concerned about all that we say and do. Give us a clear conscience that we may fear no one. Let Your blessing be upon our Mayor Lynne, and give her wisdom and grace as she gives leadership within our Shire.

Lord, meet us in our need; grant us Your presence and Your peace; for we ask it in Jesus' Name. Amen. "

CONFIRMATION OF MINUTES

1041

Cr Lawrie

Cr Youngblutt

RESOLVED that the Minutes of the Ordinary Meeting held 2 May 2001 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

ABSENT

Nil

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DISCLOSURE OF INTEREST

Cr Youngblutt

Declared an interest in Item No 2. The nature of the interest is that Cr Youngblutt is the applicant for the development application, which is the subject of the report.

ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

1042

Cr Brinsmead

Cr Lawrie

RESOLVED that Item 2 of Orders of the Day be moved to Confidential.

PROCEDURAL MOTION

1043

Cr Marshall

Cr Youngblutt

RESOLVED that the motion be put.

The Procedural Motion was **Carried**

Voting For

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

Voting Against

Cr Boyd
Cr James
Cr Luff

The Motion was **Carried**

Voting For

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

Voting Against

Cr Boyd
Cr James
Cr Luff

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SCHEDULE OF OUTSTANDING RESOLUTIONS

1044

Cr Boyd

Cr Davidson

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

Nil

ITEMS DEFERRED

4. **Installation of a Telecommunications Facility at Lot 8 DP 804836 No 349 Pottsville Road, Sleepy Hollow**

DA4420/94 Pt1

1045

Cr Boyd

Cr Polglase

RESOLVED that this item be dealt with in conjunction with Item 3 of the Agenda.

Voting - Unanimous

REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

1. **White Paper on the Review of Plan Making Provisions of the Environmental Planning and Assessment Act**

White Paper; Acts & Ordinances - EPA

1046

Cr Polglase

Cr Marshall

RESOLVED that the Acting Director of Development Services be delegated to inform the Department of Urban Affairs and Planning of Council's comments based on the section entitled "Issues Arising From Plan First" as set out in this report.

Voting - Unanimous

DECLARATION OF INTEREST

Cr Youngblutt

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 Youngblutt is the applicant for the development application, which is the subject of the report.

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2. **Proposed Rural Tourist Facility at Lots 1, 2 & 3 in DP 567745, Pacific Highway, Fernvale**

DA4040/5115 Pt2

1047

Cr Marshall

Cr Lawrie

RESOLVED that:

1. Council supports the approval of this development on a “deferred commencement” basis requiring approval under Section 138 of the Roads Act to be obtained prior to the consent becoming operational and the ownership of the Pacific Highway to have been transferred to Council.
2. A report be brought forward to the next Council meeting recommending appropriate conditions.

ATTENDANCE AT MEETING

Cr Carroll attended the meeting at 3.25pm.

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr James
Cr Luff

RETURN TO MEETING

Cr Youngblutt returned to the meeting.

3. **Installation of a Telecommunications Facility at Lot 8 DP 804836 No. 349 Pottsville Road, Sleepy Hollow**

DA4420/94 Pt1

1048

Cr Polglase

Cr Davidson

RESOLVED that Development Application No. 1229/2000DA for the installation of a telecommunications facility at Lot 8 DP 804836 Pottsville Road, Sleepy Hollow be approved subject to the following conditions:-

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GENERAL

1. The development shall be completed in general accordance with Plans Nos B0813-FIG2 Rev 1 and B0813-FIG3 Rev 1 prepared by Connell Wagner and dated 30/9/99, except where varied by these conditions.
2. Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within the subject property.
3. 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. completion of work
4. 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.
5. 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.
6. The tower shall be painted in a blue / grey colour, the details of which are to be submitted to Council for approval prior to the commencement of construction.

PRESCRIBED (BUILDING)

7. 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

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- 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.
8. 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.
9. 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.
10. 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)

11. 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.
12. Details from a Structural Engineer are to be submitted to the Principal Certifying Authority for approval of the structural design, prior to work being commenced on that part.
13. On completion of work a certificate signed by a practising structural engineer is to be submitted to the PCA to certify the structural adequacy of the structure.

ENVIRONMENT PROTECTION

14. 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.

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15. 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.
16. 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.
17. 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.
18. All activities associated with the occupancy of the building are to comply with the Protection of the Environment Operations Act, 1997.
19. Soil material shall not be exported or transported from the site as a result of the proposed works.
20. Electromagnetic emissions shall be below those maximum levels specified in the Radio communications Act, 1992.
21. Erosion control measures shall be in place prior to the commencement of works.

Voting - Unanimous

4. Contribution Plan No 7 Amendment

GT1/S94/7 Pt1

1049

Cr Boyd

Cr Marshall

RESOLVED that Council:-

1. Approves the amended Section 94 Contribution Plan No 7 as advertised; and
2. Gives public notice of its decision in accordance with the Environmental Planning and Assessment Regulations 1994, in the Tweed Link, specifying that the amended Contribution Plan comes into effect on the date of the notice.

Voting - Unanimous

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5. **Modification to Development Consent K99/620 for a Proposed Mixed Commercial/Residential Development at Lot 1 DP 9453 Section 3, No. 8 Seaview Street, Kingscliff**

DA4970/130 Pt1 0007/2001S96

1050

Cr Boyd

Cr Marshall

RESOLVED that:-

1. Application 0007/2001S96 for modification to Development Consent K99/620 – proposed mixed commercial/residential development at Lot 1 Sec 3 DP 9453, No. 8 Seaview Street, Kingscliff be approved, subject to the inclusion of the following condition under the heading of general:-
 1. *The subject building must not be erected at a height greater than 17.9m AHD, with the only exception being the approved roof projection located above the central internal staircase.*
2. Condition No. 5 of Development Consent No. K99/620 be amended as follows:-
 5. *The construction of the unnamed lane at the rear of the property between Hungerford Lane and the property boundary with Sutherland Street with Kerb & Gutter on the north east side and a 5.5m wide pavement with any necessary drainage. Detailed Engineering Plans for the laneway construction are to be submitted and approved by the Director of Engineering Services prior to the release of the construction certificate. Such plans shall also show the method of treatment proposed in relation to the existing gate access on the opposite side of the unnamed lane. In this regard, plans must be submitted showing laneway levels, proposed steps within lane and dimensions of clearance.*

Voting - Unanimous

6. **Land & Environment Matter - Development Application K99/957 for the Carrying Out of Earthworks at Lot 9 and 10 DP 822830 and Lot 1 DP 823640 Kirkwood Road and Fraser Drive, Tweed Heads South**

DA2920/121 Pt5

1051

Cr Boyd

Cr Marshall

RESOLVED that this report be received and noted.

PROCEDURAL MOTION

1052

Cr Polglase

Cr Marshall

RESOLVED that the motion be put.

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The Procedural Motion was **Carried**

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

The Motion was **Carried**

Voting For

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

Voting Against

Cr Luff

LATE ITEM

1053

Cr Marshall

Cr Youngblutt

RESOLVED that Item 6a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

Voting - Unanimous

- 6a. Application to Modify Consent No. 0681/2000DA – Stage 6 Casuarina Beach – A 94 Lot Residential Subdivision at Lot 1 DP 811425, Lot 3 DP 865049, Coast Road, South Kingscliff**

DA1180/382 Pt10

1054

Cr Brinsmead

Cr Marshall

RESOLVED that:

1. Council grants consent to the modification of Condition No. 11 to read as follows:-

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11. A total of 70 public parking spaces are to be provided along the eastern side of proposed road 11, in accordance with the Stage 6 concept master plan. The subject parking spaces are to be designed and constructed in accordance with Council's Development Control Plan No. 2 – Site Access & Parking Code.
2. Subject to the satisfactory resolution of alternative access and construction arrangements to Catherine Street and the crown road reserve, delegation be given to the Director of Development Services to amend Condition 47(x).

Voting - Unanimous

REPORTS FROM DIRECTOR CORPORATE SERVICES

7. Mayor and Councillors Annual Remuneration 2001/2002

Councillors - Fees

1055

Cr Marshall

Cr Lawrie

RESOLVED that:-

1. The annual fee for the Mayor for the period 1 July 2001 to 30 June 2002 is \$36,630.00.
2. The annual fee for Councillors for the period 1 July 2001 to 30 June 2002 is \$11,770.00.

AMENDMENT

Cr Luff

Cr Boyd

PROPOSED that the remuneration for Councillors and the Mayor be dealt with separately.

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

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The Motion was Carried

Voting For

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

Voting Against

Cr Brinsmead
Cr Boyd

8. Tweed Economic Development Corporation (TEDC) Quarterly Profit/Loss Statement

TEDC

1056

**Cr Polglase
Cr Davidson**

RESOLVED that this report be received and noted.

Voting - Unanimous

9. The Australian Local Government Association Federal Budget Submission

Budget

1057

**Cr Polglase
Cr Davidson**

RESOLVED that this report be received and noted.

Voting - Unanimous

10. Financial Report for Period Ending 30 April 2001

Financial Reporting

1058

**Cr Polglase
Cr Davidson**

RESOLVED that this report be received and noted.

Voting - Unanimous

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REPORTS FROM DIRECTOR ENGINEERING SERVICES

11. Classification of Land as Operational - Koala Beach Estate, Pottsville

GS4/95/119 Pt3

1059

Cr Boyd

Cr Marshall

RESOLVED that the land proposed to be transferred to Council as a Drainage Reserve, described as proposed Lot 266 in a subdivision of Lot 902 DP 1017348 be classified as Operational under Section 31 of the Local Government Act, 1993.

Voting - Unanimous

12. Proposed Road Closure and Purchase - Part of Fernvale Road at Fernvale Adjacent to Lot 6 DP 619717

GR3/12/1

1060

Cr Boyd

Cr Marshall

RESOLVED that:-

1. Council approves the proposal to close and purchase part of Fernvale Road adjacent to Lot 6 DP 619717
2. The applicants bear all legal and sundry costs involved
3. The applicants purchase the subject land for a price as assessed by the State Valuation Office
4. Easements for services be created for public authority reticulation services, if any, and
5. All documentation be executed under the Common Seal of Council.

Voting - Unanimous

13. Australian Water Association Federal Convention

Water Management - Conferences

1061

Cr Polglase

Cr Marshall

RESOLVED that this report be received and noted

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

TEMPORARY ABSENCE FROM MEETING

Cr Brinsmead left the meeting.

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14. Feedback on Strategies and Management Actions of the Draft Regional Catchment Management Plan

Catchment Management Plan

1062

Cr Boyd

Cr Luff

RESOLVED that Council endorses the comments on the 'Strategies and Management Actions of the Draft Regional Catchment Management Plan' as provided by Tweed Shire Council, and for those comments to be forwarded to the Northern Rivers Catchment Management Board.

Voting - Unanimous

15. Policy Framework for Children and Family Services for Local Government in New South Wales

Children & Family Services

1063

Cr Marshall

Cr Davidson

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM SUB-COMMITTEES

1. Minutes of the Tweed Shire Council Access Committee Meeting held 15 March, 2001

Community Access

2. Beach Access

Community Access

1064

Cr Luff

Cr Marshall

RESOLVED that \$3,500 of the remaining annual Access Committee budget be committed to purchasing a beach wheelchair subject to ratification at the next meeting.

Voting - Unanimous

3. Pottsville Dune Care Beach/Swimming Access

Community Access

1065

Cr Luff

Cr Marshall

RESOLVED that the Tweed Shire Access Committee write a letter to support the project in concept and subject to regulations and all relevant approvals being obtained.

Voting - Unanimous

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1066

Cr Luff

Cr Marshall

RESOLVED that the balance of the Minutes of the Tweed Shire Council Access Committee Meeting be adopted.

Voting - Unanimous

OUTSTANDING INSPECTIONS

Nil

ORDERS OF THE DAY

1. Referendum - Ward System of Voting

Notice of Motion; Elections - Wards

1067

Cr Lawrie

Cr Youngblutt

RESOLVED that Council in the 2002/2003 budget allocate funds for a referendum regarding the introduction of a ward system of voting, such referendum to be held as soon as possible after 1 July 2002, as can be accommodated by the State Electoral Office.

RETURN TO MEETING

Cr Brinsmead returned to the meeting.

TEMPORARY ABSENCE FROM MEETING

Cr Beck left the meeting and Cr Brinsmead took the chair.

RETURN TO MEETING

Cr Beck returned to the meeting and took the chair.

The Motion was **Carried**

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

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2. **Seaside City Local Environmental Study - Selection of Consultants**
Notice of Rescission, GT1/LEP/2000/3 Pt4; LEP – Seaside City
This item was dealt with at Minute No. C224 of the Confidential Agenda.

3. **Numinbah Road - Safety Audit**
Notice of Motion; Numinbah Road; R3780 Pt2

1068

Cr Marshall

Cr Youngblutt

RESOLVED that the General Manager conducts a safety audit of Numinbah Road between Crystal Creek and Chillingham and brings forward a report, including costings of any proposed works, particularly addressing issues of edge linemarking, guide post installation and advance warning signs.

Voting - Unanimous

WORKSHOPS PREVIEW

1. **TACTIC Workshop – Funding Agreement**

Resolved by Council: No

2. **Bush Fire Risk Management Workshop**

The workshop will now be held Wednesday, 13 June 2001.

QUESTION TIME

Development Application K99/957 for the Carrying Out of Earthworks at Lot 9 and 10 DP 822830 and Lot 1 DP 823640 Kirkwood Road and Fraser Drive, Tweed Heads South DA2920/121 Pt5

Cr Luff

1. How much did it cost ratepayers to defend the decision of this Council to approve the application for “extractive industry” at Kirkwood Road?

The Acting General Manager advised that the costs have not been finalised. A report will be brought forward to Council on the costs.

2. Following the approval given by Councillors to the above application, was there a further report to Council that a third party had commenced an action and if so, was that report an item on a meeting agenda that would have allowed Councillors to decided not to defend its consent?

The Acting General Manager advised that the matter of effect at least mentioned in Council, but a detailed report will need to be brought back to Council.

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Community Centre – Banora Point

Banora Point Community Centre

Cr Polglase

Where are we at with the Community Centre at Banora Point?

The Acting General Manager advised that an Architect has been appointed. A meeting has been held with the Banora Point Residents Association chaired by Cr Lawrie to appoint representatives to the Committee. The Committee will work with the Architect to pursue design.

COMMITTEE OF THE WHOLE

1069

Cr Marshall

Cr Luff

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

TEMPORARY ABSENCE FROM MEETING

Cr Luff left the meeting.

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:-

URGENCY MOTION

C210

RESOLVED that Council deals with the LES process in relation to Kings Forest and table documentation.

ATTENDANCE AT MEETING

Cr Luff attended the meeting at 5.15pm.

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The Motion was Carried

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr James
Cr Luff

Draft Local Environmental Study – Kings Forest

GT1/LEP2000/20 Pt2

C211

RESOLVED that Council:

1. Considers not accepting the January 2001 LES and Draft LEP for Kings Forest that was publicly exhibited in April-May 2001 on the grounds that:
 - (a) it may not be a truly independent Consultant's report; and
 - (b) the content of the LES and Draft LEP in respect to a number of issues such as road access and mapping of environmentally sensitive areas.
2. Considers re-exhibiting the LES and Draft LEP in the form of exhibiting the August 2000 LES with a Draft LEP based on the maps in the LES of August 2000.
3. Defers a decision on points (1) and (2) of this motion until the next Council meeting so that it may have time to study the documentation tabled at this meeting by Cr Brinsmead.
4. Supports the action of its General Manager to appoint a suitably qualified independent investigator to conduct an inquiry into all matters relating to the Kings Forest LES and Draft LEP.

ADJOURNMENT OF MEETING

Adjournment for dinner at 6.35pm.

RESUMPTION OF MEETING

The Meeting resumed at 7.35pm.

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The Motion was **Carried**

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr Davidson
Cr James
Cr Luff

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM DIRECTOR CORPORATE SERVICES IN COMMITTEE

1. Request to Enter into a Lease at the Bob Whittle Murwillumbah Airfield

Airfield – Murwillumbah; Leases – Council Property

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*

C219

RESOLVED that Council:-

1. Enters into a lease with the Murwillumbah Aero Club Limited based on the terms and conditions detailed in the body of this report.
2. Authorises the execution of all necessary documentation, including affixing the Common Seal of Council as required.

Voting - Unanimous

2. Bank Tender 2001

Banking; Contracts/Quotations - Administration

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*

C220

RESOLVED that the Commonwealth Bank of Australia be appointed as Council's banker for four years commencing 1 July 2001.

Voting - Unanimous

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- 2a. Investigation/Review of Draft Local Environmental Study – Kings Forest
GT1/LEP2000/20 Pt2

C222

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

3. Proposed Change to Garbage Contract

Garbage – Collection Contractor

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*

C223

RESOLVED that Council accepts the changes to the rise and fall provisions of the Waste and Recycling Contract as outlined in the correspondence from Solo Waste dated 26 March 2001.

The Motion was **Carried**

Voting For

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

Voting Against

Cr Beck
Cr Lawrie

REPORT BROUGHT FROM ORDINARY INTO CONFIDENTIAL ORDERS OF THE DAY

2. Seaside City Local Environmental Study - Selection of Consultants
Notice of Rescission, GT1/LEP/2000/3 Pt4; LEP – Seaside City

C224

RESOLVED that Council does not deal with this rescission motion because it leaves Council open to legal action.

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PROCEDURAL MOTION

C225

RESOLVED that Cr Luff withdraws her statements that “the Mayor is a disgrace” or be removed from the Chamber.

The Procedural Motion was **Carried**

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

RETIREMENT FROM MEETING

Cr Luff

Did not withdraw her statements and subsequently left the meeting at 8.20pm.

The Motion was **Carried**

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr James

1070

Cr Marshall

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 8.30pm.



Minutes of Meeting Confirmed by Council

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at Meeting held

I hereby certify that I have authorised the affixing of my
electronic signature to the previous pages numbered 1 to 21 of these Minutes

Chairman