

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, G J Lawrie, B M Luff, W M Marshall, W J Polglase, P C P Youngblutt.

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

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

The meeting opened with a Prayer by Council's Acting Chaplain, Fr Paul McDonald.

Reading: Acts 4:32-33

The whole group of believers was united, heart and soul;

No one claimed for their own use anything that he had,

As everything they owned was held in common.

The apostles continued to testify to the resurrection of the Lord Jesus with great power, and they were all given great respect.

God of all ages,

Help us to be people of faith, hope and love as we celebrate the centenary of Federation.

May we, the people of Australia – and, in particular, we who live in the Tweed Shire – look to you for guidance along the path of justice and peace.

Give us the wisdom and understanding to make the right decisions for our community and make us channels of your truth and love.

We make this prayer through Christ our Lord.

Amen.

CONFIRMATION OF MINUTES

989

Cr Marshall

Cr Polglase

RESOLVED that the Minutes of the Ordinary Meeting held 18 April 2001 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

ABSENT

Councillor H James.

Councillor Cr James has informed the General Manager that his absence is caused by attending a conference on behalf of Council.

990

Cr Brinsmead

Cr Davidson

RESOLVED that the apology of Cr James be accepted.

Minutes - Meeting of Tweed Shire Council

Voting – Unanimous

DISCLOSURE OF INTEREST

Nil

ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

991

Cr Lawrie

Cr Carroll

RESOLVED that Item 1 of the Confidential Agenda be moved into Open Council.

Voting For

Cr Boyd

Cr Carroll

Cr Davidson

Cr Lawrie

Cr Polglase

Voting Against

Cr Beck

Cr Brinsmead

Cr Marshall

Cr Youngblutt

SCHEDULE OF OUTSTANDING RESOLUTIONS

992

Cr Boyd

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

The Mayor thanked Crs Boyd and Marshall for attending the funeral of Mr Eddie Santagiuliana, they Mayor of Redlands Shire Council.

REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

- 1. Deed of Agreement - Six (6) Lot Subdivision of Lot 194, 301 and 312 DP 755701
Coast Road, South Kingscliff**

DA1180/10 Pt5

993

Cr Polglase

Cr Davidson

RESOLVED that any documents relating to the right of carriageway, easement for services and deed of agreement through Lot 194,301 and 312 DP 755701 Coast Road, South Kingscliff be executed under the Common Seal of Council.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

2. Social Plan Update 2001/2002

Social Plan

994

Cr Boyd

Cr Carroll

RESOLVED that Council:-

1. Seeks the support of all relevant agencies to provide for the necessary community facilities within the Tweed, and in particular seeks the support of its elected Parliamentary representatives to make up any shortfall in funding being experienced in the Tweed;
2. Continues to support its existing projects and activities, as set out in the draft Budget 2001.
3. Exhibits the Draft Social Plan 2001/2002 with the Draft 2001/2004 Management Plan/Budget.

Voting - Unanimous

3. Draft Tweed Local Environmental Plan 2000 (Amendment No. 16) - Greenview Estate

GT1/LEP/2000/16 Pt1

995

Cr Boyd

Cr Carroll

RESOLVED that Council exhibits the draft Tweed Local Environmental Plan 2000 (Amendment No. 16) in accordance with the "Best Practice Guidelines - LEP and Council Land" published by the Department of Urban Affairs and Planning, January 1997.

Voting - Unanimous

4. 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

996

Cr Brinsmead

Cr Marshall

RESOLVED that Council:-

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

Minutes - Meeting of Tweed Shire Council

2. Approves the application to modify Condition No 47(x) of Development Consent No 0681/2000 for the following reasons:
 - (a) The Coast Road has been repositioned to the Catherine Street alignment, making the condition that Road 3 provide a connection to the Coast Road redundant
 - (b) Through traffic can now access the Crown Road from the new Catherine Street/Coast Road which is designed to be the distributor or through road.
 - (c) Through traffic should be confined to the wider Coast Road and should not be allowed to use residential streets for short cut "rat runs" which will unnecessarily compromise residential safety and amenity.
3. Council indicates its support for the cul-de-sac on Road 3 subject to the applicant agreeing to provide suitable alternative access to Catherine Street and Road 3.
4. A report be brought back on this matter.

ATTENDANCE AT MEETING

Cr Luff attended the meeting at 3.12pm.

997

Cr Marshall

Cr Youngblutt

RESOLVED that an extension of 1 minutes be granted to Cr Brinsmead.

Voting - Unanimous

AMENDMENT

Cr Boyd

Cr Luff

PROPOSED that this matter be deferred.

The Amendment was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr Luff

Voting Against

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

The Motion was **Carried**

Minutes - Meeting of Tweed Shire Council

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr Luff

URGENCY MOTION

998

Cr Lawrie

Cr Davidson

RESOLVED that Council deals with the matter of supplying chairs for the function to be held at the showground on Saturday.

Voting – Unanimous

Supply of Chairs – Country Music Festival – Saturday 5 May 2001

DA4510/10 Pt3; Showground; Festivals – Other

999

Cr Lawrie

Cr Davidson

RESOLVED that notwithstanding Council's policy not to provide Council chairs to other organisations, that in this case only:

1. Council supplies 250 chairs from the Auditorium, delivers and collects such chairs from the showground.
2. Council to Invoice the organisers for the costs involved
3. The chairs be returned in the condition in which they were taken including cleaning, repairs and replacement if necessary.
4. A security deposit of \$2500 be provided.

Voting – Unanimous

ADJOURNMENT OF MEETING

Adjournment to the foyer at 4.30pm to continue the meeting due to power failure.

Minutes - Meeting of Tweed Shire Council

5. **Tweed Local Environmental Plan 2000, Amendment No 2 - Cobaki Lakes**
GT1/LEP/2000/2 Pt1

1000

Cr Polglase

Cr Davidson

RESOLVED that the Regional Director of the Department of Urban Affairs and Planning be informed in accordance with Section 54 of the Environmental Protection Act that Council has amended its previous resolution dated 15 March, 2000 excluding from the area to be rezoned from 2(c) Urban Expansion to Environmental Protection and 6(b) Recreation the land indicated by Figure 1.

Voting - Unanimous

6. **Department of Education Land, Elizabeth Street, Pottsville**

PF1851/5

1001

Cr Polglase

Cr Marshall

RESOLVED that Council confirms its resolution of 16 August 2000 and seeks State funds for the embellishment of the area.

Voting - Unanimous

REPORTS FROM DIRECTOR CORPORATE SERVICES

7. **Draft Strategic Plan for Rainforest Way Project**

Tourist Gateway

1002

Cr Davidson

Cr Marshall

RESOLVED that Council refers this matter to the Boards of TEDC and TACTIC with a recommendation that \$1,000 be provided by each organisation towards the Draft Strategic Plan for the Rainforest Way Project.

Voting - Unanimous

8. **Mobile Telephone Network Coverage**

Office Equip - Telephones

1003

Cr Boyd

Cr Marshall

RESOLVED that the application for solution funding for mobile telecommunications through the Federal Networking the Nation Program be endorsed.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

9. Filming in the Tweed Shire - Amendment to Fees and Charges

Filming in Shire

1004

Cr Boyd

Cr Davidson

RESOLVED that:-

1. Council adopts the following Fees and Charges for filming locations on Council Controlled Land as outlined in the Department of Local Government's Filming Protocols as amended by the Director General from time to time:

Lodgement fees:

\$100 for 1-2 days filming

\$200 for greater than 2 days filming

Location Approval fees – (Per day, 50% for half day)

Occasional activities with minimum impact	\$0
Occasional/infrequent low impact filming activities	\$200
Occasional/infrequent medium impact or regular low impact activities	\$600
Occasional high impact or regular medium impact filming activities	\$1000
Filming activities that would have considerable impact for extended periods and require extensive notification and consultation	\$1400

Additional Fees:

Premium for late or urgent applications:

100% of lodgement fees, plus 30% on approval fee.

2. The Film and Television Office (NSW) be notified that Council has adopted Fees and Charges in accordance with the State Filming Protocol.

Voting - Unanimous

10. Shires Association of NSW - Operational Review

Shires Association of NSW - Conference

1005

Cr Luff

Cr Marshall

RESOLVED that this report be received and noted.

Minutes - Meeting of Tweed Shire Council

Voting - Unanimous

11. Quarterly Corporate Report

Quarterly Report

1006

Cr Boyd

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

12. Statutory Quarterly Budget Review - 31 March 2001

Budget

1007

Cr Boyd

Cr Beck

RESOLVED that :-

1. The Quarterly Budget Review Statement as at 31 March 2001 be adopted.
2. The expenditure and income as detailed below be voted and adjusted in accordance with the revised total expenditure and income for the year:

	Item & Description	Negative (contribute to deficit) \$	Positive (contribute to surplus) \$
A. General Fund			
1	Councillors travel & support costs	15,000	
2	Pensioner Rate Subsidy		10,000
3	Cemetery fees	30,000	
4	Tweed Link – net operational costs reduced		40,000
5	Safe Work Practices review	12,000	
6	Loan repayment		69,000
7	Investment income	35,200	
8	Bilambil Sportsfields – “donation” of lease rental & rates	5,400	
9	Garbage removal costs		35,000
10	Tweed Heads Sth pool	70,000	
11	Reduced RTA & external income	50,000	
12	Information technology contribution from Water fund Sewerage fund		36,900
13	Beach Vehicle licence reserve	30,000	
14	Workers' Compensation costs Road works	90,000	60,000
15	Building income		70,000
16	Valuer General fee		4,000
17	Contribution to workers compensation		4,000
18	Civic Hall rental	4,000	
19	Strategic Planning		12,700
20	Civic Centre building security Asset Management Civic Centre Reserve	30,000	30,000
		3791,600	3791,600

Minutes - Meeting of Tweed Shire Council

	Item & Description	Negative (contribute to deficit) \$	Positive (contribute to surplus) \$
B. Water Fund			
1	Trunk Main Replacement Capital replacement reserve Asset replacement reserve	100,000	50,000 50,000
2	Investment income		50,000
3	Information Technology costs		18,500
4	Reserve	68,500	
C. Sewerage Fund			
1	Investment income	20,000	
2	Rate income		80,000
3	Information Technology costs		18,400
4	Reserve	78,400	

TEMPORARY ABSENCE FROM MEETING GC6/1/2 Pt1

Cr Brinsmead left the meeting.

The Motion was **Carried**

Voting – Unanimous

RETURN TO MEETING

Cr Brinsmead returned to the meeting.

13. Draft Management Plan 2001/2004 and Budget 2001/2002

Budget

1008

Cr Polglase

Cr Boyd

RESOLVED that:-

1. The Draft 2001/2004 Management Plan/Budget (excluding the business rate increase of 10%) be adopted and placed on public exhibition for 28 days from 3 May 2001 and submissions be invited.
2. The proposed community consultation and feedback process be applied to provide scope for all ratepayers to participate.
3. Submissions received be considered by Council at its meeting of 6 June 2001 with the view to adopting the Management Plan/Budget at that meeting.
4. Application be made to the Minister for Local Government for a “Special Variation to General Income” for an increase of 1.25% to fund a higher level of maintenance at Casuarina Beach.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

REPORTS FROM DIRECTOR ENGINEERING SERVICES

14. IPART Submission on Proposed DLWC Bulk Water Pricing

Water Management – Policy - Pricing

1009

Cr Polglase

Cr Marshall

RESOLVED that Council

1. Advises the Independent Pricing and Regulatory Tribunal (IPART) that it does not support the application by the Department of Land and Water Conservation (DLWC) currently before them for significant price increases in bulk water charges for 2001/2002 to 2003/2004 until such time as DLWC are able to provide financial information specifically relating to water resource management in the Tweed Valley, given that the significant differences evident across North Coast catchments may in fact increase cross subsidies and move against Council of Australian Government (COAG) principles.
2. Makes representation to the Minister to make a presentation on the Tweed Valley's concerns.

Voting - Unanimous

15. Classification of Lands as Operational - "Casuarina Beach" Kingscliff

GS4/96/135 Pt18

1010

Cr Luff

Cr Marshall

RESOLVED that the lands proposed to be transferred to Council for sewerage reticulation purposes and being described as proposed Lots 83, 84 and 85 in a subdivision of Lots 2, 3 and 4 DP 1014470, Lot 19 DP 1022418 and Lot 21 DP 1025660 be classified as Operational under Section 31 of the Local Government Act, 1993.

Voting – Unanimous

TEMPORARY ABSENCE FROM MEETING GC6/1/2 Pt1

Cr Polglase left the meeting.

16. Realignment of Doon Doon Road - Acquisition of Lots 1 - 4 DP1024097 - John Fogarty Bridge

R1640 Pt2

1011

Cr Luff

Cr Marshall

RESOLVED that :-

1. Council approves the acquisition of Lots 1 and 2 DP 1024097 as public road and Lots 3 and 4 DP 1024097 for compensation purposes under the provisions of the Land

Minutes - Meeting of Tweed Shire Council

Acquisition (Just Terms Compensation) Act, 1991 for the purposes of the Roads Act, 1993 and

2. All necessary documentation be executed under the Common Seal of Council.

Voting - Unanimous

17. Tweed Sand Bypassing Jetty - Letitia Spit - Public Access

GR1/6 Pt8

1012

Cr Boyd

Cr Davidson

RESOLVED that :-

1. Council seeks comment on the proposal to permit public access to the Sand Bypass Pumping Jetty on Letitia Spit via publicity in the Tweed Link and the issue of an appropriate information release to all local media outlets.
2. A report be brought to Council on the outcomes to permit Council to advise the Minister of the demonstrated need or otherwise for public access.

Voting - Unanimous

18. Murwillumbah Gateway Statement on Chinderah - Yelgun Motorway

R5495 Pt5

1013

Cr Boyd

Cr Davidson

RESOLVED that:-

1. Council writes to the Roads and Traffic Authority summarising the concerns expressed in this report and requesting its early attention to compliance with DUAP consent condition 18(i), preferably in terms of an integrated Tourism NSW Visitors' facility at Chinderah.
2. Future signposting include both tourist and direction signage, in accordance with Roads and Traffic Authority policy and be pursued with the RTA as a separate issue.
3. A copy of this report be provided to the Murwillumbah District Business Chamber Ltd.

Voting - Unanimous

RETURN TO MEETING

Cr Polglase returned to the meeting.

Minutes - Meeting of Tweed Shire Council

19. Proposed Lease - Public Jetty, Southern Boatharbour

Wharf - River Terrace

1014

Cr Marshall

Cr Carroll

RESOLVED that Council:-

1. Submits the concept plan for the overall redevelopment proposal of the Public Wharf at River Terrace, Tweed Heads to the Department of Land and Water Conservation and
2. Applies for a lease over the area encompassing the proposed redeveloped facility.

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

20. Horse Riding Restrictions - Cabarita

Parks – Hastings Point Headland

1015

Cr Boyd

Cr Marshall

RESOLVED that Council approves the erection of signs under Section 632 of the Local Government Act 1993 which restricts horses from being ridden or walked on the walking track to the north of Norries Headland, and on any other walking tracks on the Headland as deemed necessary by the Director Environment and Community Services.

Voting - Unanimous

21. Proposed Alterations to Council Pound

Dog - Pound

1016

Cr Marshall

Cr Youngblutt

RESOLVED that Council constructs the cattery out of income from the lifetime registration of companion animals.

Voting - Unanimous

22. Needle Disposal Bins and Blue Lights - Progress Report

Drugs Related Matters, Toilets - Public

1017

Cr Polglase

Cr Boyd

RESOLVED that:-

1. All blue lights are removed from the public toilets and the normal fluorescent lighting is reinstated.
2. Additional needle disposal units to be installed in the public toilets in Jack Bayliss Park, North Kingscliff.

Minutes - Meeting of Tweed Shire Council

Voting - Unanimous

REPORTS FROM SUB-COMMITTEES

1. **Minutes of the Tweed Shire Council Access Advisory Committee Meeting held Thursday 16 November 2000**

Access Matters

12. **Disability Parking – Policing and Parking**

Access Matters

1018

Cr Boyd

Cr Marshall

RESOLVED that Council takes up the issue with the RTA on behalf of disabled drivers suggesting that the RTA provides a clear means of identification for disabled drivers/passengers that includes the International symbol.

Voting - Unanimous

1019

Cr Boyd

Cr Marshall

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

Voting - Unanimous

2. **Minutes of the Tweed Shire Council Access Advisory committee Meeting held Thursday 18 January 2001**

Access Matters

9. **Murwillumbah Bowls Club**

Access Matters

1020

Cr Marshall

Cr Boyd

RESOLVED that Council includes in further lighting programs the improvement of lighting at Commercial Road, Murwillumbah.

Voting - Unanimous

1021

Cr Marshall

Cr Boyd

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

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

3. Minutes of the Community Advisory Committee Meeting held Thursday 22 March 2001

GC7/6 Pt3

3. Aboriginal Community Worker Working Group

GC7/6 Pt3

1022

Cr Marshall

Cr Boyd

RESOLVED that the Aboriginal Community Worker Working Group be asked to identify active programs and level of funding available for possible employment of an Aboriginal Community Worker.

Voting - Unanimous

1023

Cr Marshall

Cr Boyd

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

Voting - Unanimous

4. Minutes of the Local Traffic Committee Meeting held Thursday 12 April 2001
Traffic Committee

1. Amaroo Drive, Banora Point

R0115 DW595459

1024

Cr Boyd

Cr Marshall

RESOLVED that the speed limit on Amaroo Drive remains at 60kph.

Voting - Unanimous

2. Proudfoots Lane, Murwillumbah

R4455 DW594359

1025

Cr Boyd

Cr Marshall

RESOLVED that:-

1. Council advertises the proposal to make traffic flow one-way from Brisbane Street to Nullum Street.
2. The Manager of Development Control be requested to investigate why the car park under the new co-location building on Wollumbin Street is being utilised by staff rather than being reserved for clients of the government offices.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

3. Pacific Highway, Sexton Hill

R4031 Pt13

1026

Cr Boyd

Cr Marshall

RESOLVED that the RTA be contacted in writing to ascertain when the pavement markers and linemarking over Sexton Hill will be upgraded and on receipt of the reply a copy be forwarded to the Banora Point Residents Association.

Voting - Unanimous

4. Darlington Drive, Banora Point

R1540 Pt2

1027

Cr Boyd

Cr Marshall

RESOLVED that a pedestrian refuge be installed adjacent to the park on Darlington Drive subject to funding becoming available.

Voting - Unanimous

6. Main Street Murwillumbah

R3640 Pt3

1028

Cr Boyd

Cr Marshall

RESOLVED that a 5 minute parking space be installed adjacent to Patrick Egan, Optometrist on Main Street Murwillumbah.

Voting - Unanimous

7. Kennedy Drive, Tweed Heads (Boat Ramp Access)

R2830 Pt4

1029

Cr Boyd

Cr Marshall

RESOLVED that:-

1. One hour parking be installed on the southern side of Kennedy Drive from the boat ramp along the frontage of Ray Pascoe Park back to the "No Stopping" zone.
2. A "No Right Turn" sign be installed on the exit from the local traffic road at McDonald Street.

Voting - Unanimous

Minutes - Meeting of Tweed Shire Council

8. Wardrop Street, South Murwillumbah

R5800

1030

Cr Boyd

Cr Marshall

RESOLVED that:-

1. "No Stopping" signs have been erected at the end of the cul-de-sac to allow parents to complete a turn.
2. 2 x 5 minute parking zones along the school frontage.
3. "Right Angle" parking in teacher parking area.

Voting - Unanimous

10. Kennedy Drive, Tweed Heads

R2830 Pt4 DW598597

1031

Cr Boyd

Cr Marshall

RESOLVED that:-

1. The median on Crystal Waters Drive be reduced in width and length to enable smoother turning into Crystal Waters Drive for eastbound traffic.
2. The possibility of road widening on the northern side of Kennedy Drive for eastbound traffic be referred to the Manager of Works for inclusion in future Works Programs to enable smoother right turns into Crystal Waters Drive.

Voting - Unanimous

1032

Cr Boyd

Cr Marshall

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

Voting - Unanimous

OUTSTANDING INSPECTIONS

Nil

Minutes - Meeting of Tweed Shire Council

ORDERS OF THE DAY

- 1. Hire Fees - Murwillumbah and Tweed Heads Auditoriums and Meeting Rooms**
Notice of Motion, M'bah Civic Ctr – Hire, TH Civic Ctr - Hire

1033

Cr Marshall

Cr Luff

PROPOSED that the General Manager be requested to facilitate a complete review of the current fees and charges structure used for Council auditoriums and meeting rooms.

The Motion was **Lost**

Voting For

Cr Beck
Cr Brinsmead
Cr Marshall
Cr Youngblutt

Voting Against

Cr Boyd
Cr Carroll
Cr Davidson
Cr Lawrie
Cr Luff
Cr Polglase

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

1034

Cr Brinsmead

Cr Polglase

RESOLVED that this matter be deferred to the Confidential Agenda later in the meeting. (Refer Minute Nos C199 & C204).

Voting For

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

Voting Against

Cr Boyd
Cr Luff

- 3. Tweed Road Construction Plan - Small Business Contributions**
Notice of Rescission, GT1/S94/4 Pt4

1035

Cr Youngblutt

Cr Polglase

RESOLVED that Council resolution at Minute No 973 in relation to Item 11 of the Meeting held 18 April 2001 being:-

".....that:-

Minutes - Meeting of Tweed Shire Council

1. Council adopts an optional time payment system for Tweed Road Contribution Plan payments by using the provisions of S80A(1) of the Environmental Planning & Assessment Act (1979) to include a condition of development consent for eligible Business Enterprises (EBE) that permits annual payment of Tweed Road Contributions Plan contributions. This condition will also provide for consent and development to cease on non payment of due annual payments.
2. Eligible Business Enterprises are defined as retail, commercial and light industrial, change of use, activities to be established in rented premises with a GFA of not more than 1,000m². Professional chambers are not included in the definition. Final determination of the eligibility of a business into this category will be at the discretion of the Director Development Services.
3. Eligible Business Enterprises that take up the time payment option in (1) will pay 10 annual payments, each payment being the full contribution divided by 10. The first payment will be due prior to occupation or commencement of the new approval for the premises. The remaining 9 payments will be due at one year intervals. If the new approval use ceases at the premises, the remaining annual payment may cease and if so, the consent will also lapse.”

be rescinded.

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr Luff

1036

Cr Youngblutt

Cr Marshall

RESOLVED that Eligible Business Enterprises are defined as retail, commercial and light industrial, change of use, activities to be established in rented premises with a gross floor area of less than 1,000m². Professional chambers are not included in the definition. Final determination of the eligibility of a business into this category will be at the discretion of the Director Development Services.

Minutes - Meeting of Tweed Shire Council

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr Luff

ADJOURNMENT OF MEETING

Adjournment for dinner at 6.40pm.

RESUMPTION OF MEETING

The Meeting resumed at 7.45pm.

4. Pacific Highway - Tweed Shire

Notice of Motion, R4031 Pt13, Pacific Highway

1037

Cr Boyd

Cr Lawrie

RESOLVED that a comprehensive report be provided to Council covering at least the following aspects which relate to that section of the Pacific Highway which will be reclassified within Tweed Shire when the new Motorway is completed in 2002:

1. Its total length
2. Current traffic counts and those forecast for 2005-2010
3. An assessment of the present condition of the pavement of this section so as to identify how much is in a failed or near failed condition
4. An estimate of the cost to bring the existing pavement up to a satisfactory standard before it becomes a Council responsibility.
5. An assessment of the cost of repairing that section of the river bank subsidence threatening the Highway near the Ampol Service Station in Murwillumbah.
6. A forecast as to the time when the section of the Highway between Murwillumbah and the 4 lane section at Stotts Creek will have to be constructed to 4 lane standard.
7. An estimated cost to carry out the construction mention in (6).
8. The number and location of road deaths on this section of Highway over the past 10 years, segregated into those north of Murwillumbah and those south of Murwillumbah.
9. The identification of those sections of this road considered to be black spots such as Murnane's Corner near Burringbar; the turn off at Burringbar to Reserve Creek; and the Railway Bridge at Greenhills.

Minutes - Meeting of Tweed Shire Council

10. Any other relevant information considered import on this issue.

Voting - Unanimous

WORKSHOPS PREVIEW

1. New Art Gallery Workshop

Already confirmed at meeting of 21 March 2001.

REPORT BROUGHT FROM CONFIDENTIAL INTO ORDINARY

REPORTS FROM DIRECTOR CORPORATE SERVICES IN COMMITTEE

1. Councillor Expenses

Councillor - Fees

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

(a) personnel matters concerning particular individuals

1038

Cr Beck

Cr Luff

RESOLVED that:

1. A further report be prepared indicating Councillors' expenses incurred during the financial year.
2. Council's policy be amended to include that Councillors' reimbursement of expenses to be made on a monthly basis.

Voting - Unanimous

COMMITTEE OF THE WHOLE

1039

Cr Marshall

Cr Davidson

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

Voting - Unanimous

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

Minutes - Meeting of Tweed Shire Council

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

2. **Legal Action - Tweed Endeavour Cruises - Proposed Pontoons Adjacent Public Jetty, River Terrace, Tweed Heads**

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

C197

That Council continues with legal action to terminate the continuing occupancy of the Public Wharf at River Terrace, Tweed Heads by Tweed Endeavour Cruises.

Voting For

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

Voting Against

Cr Beck
Cr Carroll

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

3. **Extension of Time for Building Application B1714/97 for Lot 117 DP 852450 Vail Court, Bilambil Heights**

PF5729/65

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

(a) personnel matters concerning particular individuals

C198

That due to the circumstances outlined in the letter from S and A McGrath dated 6/4/01 Council grants an extension of time for building permit B1714/97 so that it expires on 22 December 2001.

Voting - Unanimous

ITEM DEFERRED FROM ORDERS OF THE DAY IN OPEN COUNCIL

2. **Seaside City Local Environmental Study - Selection of Consultants**

GT1/LEP/2000/3 Pt4

C199

That Council resolution at Minute No C167 in relation to Item 1b Items Deferred in Committee of the Meeting held 18 April 2001 being:-

".....that in the case of the Local Environmental Study for Seaside City follows its usual practice of delegating the decision on the choice of consultant to the Director Development Services."

Minutes - Meeting of Tweed Shire Council

be rescinded.

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr Luff

C204

That Council accepts the quote from the McInness Group to prepare the Local Environmental Study and Draft Local Environment Plan in respect of the Seaside City land.

Voting For

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

Voting Against

Cr Boyd
Cr Carroll
Cr Luff

URGENCY MOTION

C205

That Council deals with the matter of the roadworks south of Kingscliff.

TEMPORARY ABSENCE FROM MEETING

Cr Luff left the meeting.

Voting For

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

Voting Against

Cr Boyd
Cr Carroll

RETURN TO MEETING

Cr Luff returned to the meeting.

Minutes - Meeting of Tweed Shire Council

Coast Road Signage

R1181 Pt11

C206

That Council removes the large directional sign at the intersection of the new and old Coast Road south of Kingscliff whilst the roadworks are in progress.

RETIREMENT FROM MEETING

Cr Boyd, Cr Carroll & Cr Lawrie left the meeting at 9.40pm.

The Motion was **Carried**

Voting - Unanimous

1040

Cr Marshall

Cr Luff

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

Voting - Unanimous

There being no further business the Meeting terminated at 9.45pm.



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 23 of these Minutes

Chairman