

# Minutes - Meeting of Tweed Shire Council

## IN ATTENDANCE

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

Also present were Mr Mike Rayner (Acting General Manager/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) and Mrs Meredith Smith (Minutes Secretary).

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

The meeting opened with a Prayer by Council's Acting Chaplain, Pastor Philip Eagling.

*"Finally, brethren, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable – If anything is excellent or praiseworthy – think about such things" (Philippians 4:8)*

*"Almighty God, Your love is for all. Today, in this place, we know and understand that there are decisions to be made, and ideas to be brought to light. In acknowledgement of Your presence we pray that You will help us to be true, to be right, to be pure, to be admirable in the way we act, and to be noble in how we respond to others.*

*God if there be anything that we ask today it is this, that You would help the Council to make wise decisions, and God grant the people who make these decisions peace about the outcome. God we also pray for our Mayor, Mr Warren Polglase, please help him to chair this meeting, and give him the wisdom, grace and patience to perform his duty as Mayor of the Tweed Shire.*

*Eternal God, we pray that You would help us all to seek you out in our lifetime, we pray that we would be blessed by being here today, this we ask in the name of Jesus Christ our Lord,  
Amen".*

## CONFIRMATION OF MINUTES

238

Cr Marshall

Cr Brinsmead

**RESOLVED** that the Minutes of the Ordinary Meeting held 19 September 2001 be confirmed as an accurate record of the proceedings of that Meeting with the following amendment:-

The voting for Deputy Mayor to show Cr Brinsmead as voting for Cr Marshall with Cr Youngblutt voting for Cr Davidson.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

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## ABSENT

Councillor H James.

Councillor Cr James has informed the General Manager that his absence is caused by being out of the Shire.

**239**

**Cr Boyd**

**Cr Marshall**

**RESOLVED** that the apology of Cr James be accepted.

**Voting – Unanimous**

## DISCLOSURE OF INTEREST

Nil.

## ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil.

## SCHEDULE OF OUTSTANDING RESOLUTIONS

**240**

**Cr Boyd**

**Cr Davidson**

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

**Voting - Unanimous**

## MAYORAL MINUTE

### 1. Work For The Dole

This item was received and noted.

**Work for the Dole - Invitations**

### 2. Industrial Development

This item was received and noted.

**Industrial Development – Invitations**

### 3. Food & Wine Festival

This item was received and noted.

**Invitations**

### 4. Bilambil Sports Ground

This item was received and noted.

**Bilambil Sports Ground – Invitations**

# Minutes - Meeting of Tweed Shire Council

## 5. Garden Competition

### Garden Competition – Invitations

This item was received and noted.

### Adoption of Mayoral Minute

241

Cr Boyd

Cr Davidson

**RESOLVED** that the Mayoral Minute as presented be adopted.

**Voting - Unanimous**

## ITEMS DEFERRED

### 3. Council Committees - Delegations to September 2002

#### Committees of Council

242

Cr Boyd

Cr Luff

**RESOLVED** that this item be dealt with in conjunction with Item 6 of the Agenda (Refer Minute Nos 250-254).

**Voting - Unanimous**

## REPORTS THROUGH GENERAL MANAGER

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

1. **The Demolition of an Existing Garage, Erection of a Dwelling House and the Creation of a Two (2) Lot Residential Subdivision at Lot 1 DP 372097 No. 67 Charles Street, Tweed Heads**

**DA1041/420 Pt1**

243

Cr Beck

Cr Marshall

**RESOLVED** that this item be deferred to allow the applicant to address Community Access.

**Voting - Unanimous**

2. **Demolition of an Existing Dwelling House and the Erection of a Multi-Dwelling Housing Development Comprising 5 x 3 Bedroom Dwellings at Lot 1 DP 781720 Kingscliff Street, Kingscliff**

**DA2890/20 Pt1**

244

Cr Boyd

Cr Luff

**RESOLVED** that :-

# Minutes - Meeting of Tweed Shire Council

- A. The State Environmental Planning Policy No. 1 objection to the height limitation be supported and the concurrence of the Director General of the Department of Urban Affairs and Planning be assumed.
- B. Development Application 0390/2001DA for the demolition of an existing dwelling and the erection of a multi-dwelling housing development comprising 5 x 3 bedroom dwellings at Lot 1 DP 781720 No. 4 Kingscliff Street, Kingscliff be approved subject to the following conditions:-

## **PRE-REQUISITES – CONDITIONS THAT MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

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

Pursuant to Clause 79H of the Environmental Planning and Assessment Regulations, 1994, a Construction Certificate shall NOT be issued by a Certifying Authority unless all Section 94 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" signed by an authorised officer of Council.

These charges will remain fixed for a period of 12 months from the date of this consent and thereafter in accordance with the rates applicable in the current version/edition of the relevant Section 94 Plan current at the time of the payment.

A copy of the Section 94 contribution plans may be inspected at the Civic and Cultural Centres, Tumbulgum Road, Murwillumbah and Brett Street, Tweed Heads.

- |    |   |           |
|----|---|-----------|
| a. | Open Space Passive (Casual):            | \$932.00  |
|    | S94 Plan No. 5                          |           |
| b. | Open Space Active (Structured):         | \$1189.00 |
|    | S94 Plan No. 5                          |           |
| c. | Tweed Road Contribution Plan:           | \$3681.00 |
|    | S94 Plan No. 4 (Version 4.0)            |           |
|    | (Kingscliff – Residential)              |           |
| d. | Shirewide Library Facilities:           | \$825.00  |
|    | S94 Plan No. 11                         |           |
| e. | Eviron Cemetery/Crematorium Facilities: | \$309.00  |
|    | S94 Plan No. 13                         |           |

# Minutes - Meeting of Tweed Shire Council

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|----|---|-----------|
| f. | Community Facilities (Tweed Coast)<br>(North Coast)<br>S94 Plan No. 15                            | \$1968.00 |
| g. | Emergency Facilities (Surf Lifesaving)<br>S94 Plan No. 16   | \$504.00  |
| h. | Extensions to Council Administration Offices<br>& Technical Support Facilities<br>S94 Plan No. 18 | \$963.09  |
| i. | Cycleways<br>S94 Plan No. 22  | \$365.00  |

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

Pursuant to Clause 79H of the Environmental Planning and Assessment Regulations, 1994, a Construction Certificate shall **NOT** be issued by a Certifying Authority unless all Section 64 Contributions have been paid and the Certifying Authority has sighted Council's "Contribution Sheet" and a "Certificate of Compliance" signed by an authorised officer of Council.

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

Water:	\$10,560.00
Sewer:	\$8,841.25

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

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

## GENERAL

3. The development shall be completed in general accordance with Plan Nos 1201/WD/O1A, 1201/WD/02B, 1201/WD/03A, 1201/WD/04B, 1201/WD/05 and 1201/WD/08A prepared by Pat Twohill Designs Pty Ltd and dated April 2001, except where varied by these conditions.

# Minutes - Meeting of Tweed Shire Council

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4. Landscaping is to be undertaken along the southern and northern boundaries of the site to provide further screening to the walls of the basement car parking. Details to be submitted to and approved by the Director Development Services prior to landscaping works. All works to be completed prior to occupation of the dwelling.
5. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Director of Engineering Services prior to the issue of a Subdivision Certificate and/or prior to any use or occupation of the buildings.
6. Landscaping of the site shall be carried out in accordance with the submitted landscaping plans. The landscaping to be completed prior to occupation of the building, to the satisfaction of the Director, Development Services.
7. The provision of ten (10) off street car parking spaces. The layout and construction standards to be in accordance with Development Control Plan No. 2 - Parking Controls.
8. Provision shall be made for the collection of builder's solid waste in accordance with the following requirements:
  - a. A temporary builder's waste chute is to be erected to vertically convey builder's debris to a bulk container.
  - b. The chute shall be located in a position approved by the Principal Certifying Authority.
  - c. A canopy shall be provided to the chute outlet and container to reduce the spillage of materials and nuisance caused by dust.
9. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.
10. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
  - a. footings, prior to pouring of concrete
  - b. slab, prior to pouring of concrete
  - c. frame prior to the erection of brick work or any wall sheeting
  - d. final inspection prior to occupation of the building
11. All necessary on site boundary retaining shall be carried out prior to start of works upon the building proper, with details of retaining walls being submitted to Council for approval prior to start of works.

**Please note:** Timber retaining walls will not be accepted.

# Minutes - Meeting of Tweed Shire Council

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

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

13. 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.
  - iii. A sign has been erected on the site identifying:
    - Lot number
    - Builder
    - Phone number of builder or person responsible for site.
  - 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 98(1)(b) of the Environmental Planning and Assessment Amendment Regulations 2000.
14. 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,

# Minutes - Meeting of Tweed Shire Council

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.

## **PRESCRIBED (BUILDING)**

15. A temporary builder's toilet is to be provided prior to commencement of work at the rate of one (1) closet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided must be:-
  - (a) a standard flushing toilet connected to a public sewer, or
  - (b) if that is not practicable, an accredited sewage management facility approved by the council, or
  - (c) if that is not practicable, any other sewage management facility approved by the council.
16. A sign must be erected on the site in a prominent, visible position stating:
  - a. that unauthorised entry to the work site is prohibited; and
  - b. showing the name of the builder, or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.
17. It is a condition of this approval that, if an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must comply with the following:
  - i. The person must, at the person's own expense:
    - a. preserve and protect the building from damage; and
    - b. if necessary , underpin and support the building in an approved manner.
  - ii. The person must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work.
18. It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied.
19. All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate or complying development certificate was made).



# Minutes - Meeting of Tweed Shire Council

20. A. Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:
- i. in the case of work to be done by a licensee under that Act:
    - (i) has been informed in writing of the licensee's name and contractor licence number; and
    - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act; or
  - ii. in the case of work to be done by any other person:
    - (i) has been informed in writing of the person's name and owner-builder permit number, or
    - (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of *owner-builder work* in Section 29 of that Act,
- and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.
- B. A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
21. The erection of a building in accordance with a development consent must not be commenced until:
- a. detailed plans and specifications of the building have been endorsed with a construction certificate by:
    - (i) the consent authority; or
    - (ii) an accredited certifier; and
  - b. the person having the benefit of the development consent:
    - (i) has appointed a Principal Certifying Authority; and
    - (ii) has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and

# Minutes - Meeting of Tweed Shire Council

- c. the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.
22. A person must not commence occupation or use of the whole or any part of a new building (within the meaning of Section 109H(4)) unless an occupation certificate has been issued in relation to the building or part (maximum 25 penalty units)
23. Prior to work commencing, a "Notice of Commencement of Building or Subdivision Work and Appointment of Principal Certifying Authority" shall be submitted to Council at least **2 days** prior to work commencing.
24. The building is not to be occupied or a final occupation certificate issued until a fire safety certificate has been issued for the building to the effect that each required essential fire safety measure has been designed and installed in accordance with the relevant standards.
25. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

## **ENGINEERING (BUILDING)**

26. 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.
27. Details from a Structural Engineer are to be submitted to the Principal Certifying Authority for approval for all bracing & tie down, prior to work being commenced on that part.
28. A certificate signed by a practising structural engineer is to be submitted to the principal Certifying Authority to certify the structural adequacy of the structure.

## **FIRE (BUILDING)**

29. All fire service connections are to be compatible with those of the NSW Fire Brigade.
30. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in accordance with Australian Standard AS 2444 "Portable Fire Extinguishers - Selection and Location" and Part E1.6 of the Building Code of Australia.
31. An automatic fire detection and alarm system, designed to ensure the occupants are given adequate warning so they can evacuate the building in an emergency, must be installed in Class 2 and 3 buildings and Class 4 part of a building in accordance with the provisions of Specification E2.2a of the Building Code of Australia. Smoke alarms must be installed:
  - (i) within each sole occupancy unit, located on or near the ceiling in any storey -

# Minutes - Meeting of Tweed Shire Council

- (A) containing bedrooms -
  - (aa) between each part of the sole occupancy unit containing bedrooms and the remainder of the sole occupancy unit; and
  - (bb) where bedrooms are served by a hallway, in that hallway; and
- (B) not containing any bedrooms, in egress paths; and
- (ii) in a building not protected with a sprinkler system, in public corridors and other internal public spaces, located in accordance with the requirements for smoke detectors in AS 1670 and connected to activate a **building occupant warning system** in accordance with Specification 2.2a(6) of the Building Code of Australia which states:

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

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

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

32. Fire hose reels shall be installed in accordance with the provisions of Part E1.4 of the Building Code of Australia and comply with Australian Standard AS1221 and AS2441.

However, they shall not be installed until the PCA has been furnished with a certificate, signed by a Hydraulics Engineer stating that the design and proposed manner of installation complies with the relevant standards.

## **DISABLED (BUILDING)**

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

# Minutes - Meeting of Tweed Shire Council

## SWIMMING POOLS

34. A sign must be erected on the site in a prominent, visible position stating:
- a. that unauthorised entry to the work site is prohibited; and
  - b. showing the name of the builder, or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours.
35. A. The swimming pool is to be installed and access thereto restricted in accordance with Council's "**Code for the Installation of New Swimming Pools**" and Australian Standard AS 1926-1986 (Copy of code enclosed).
- B. Swimming pools shall have suitable means for the drainage and disposal of overflow water.
- C. The pool filter is to be enclosed and located in a position so as not to cause a noise nuisance to adjoining properties.
- D. It is the responsibility of the pool owner to ensure that the pool fencing continues to provide the level of protection required regardless of and in response to any activity or construction on the adjoining premises. Due regard must be given to the affect that landscaping will have on the future effectiveness of the security fencing. (Section 7 Swimming Pool Act 1992).
- E. The resuscitation poster must be permanently displayed in close proximity to the swimming pool. (Section 17 Swimming Pool Act 1992).
- F. The certifying authority is to be given 24 hours notice for any of the following inspections prior to the next stage of construction.
- a. Steel reinforcing prior to the pouring of concrete.
  - b. Swimming pool safety fencing prior to filling the pool with water.
- G. In the event that Council is not utilised as the inspection/certifying authority:-
- a. Within seven (7) days of the filling of the pool a Compliance Certificate in the prescribed form shall be submitted to Council together with the prescribed fee, by the Accredited Certifier to certify that all works have been completed in accordance with the approved plans and conditions of Consent and that the swimming pool safety fencing has been installed and complies with AS 1926.
  - b. The Certifying authority is to be given 24 hours notice in writing for an inspection of the swimming pool safety fencing prior to filling the pool with water.
36. Backwash from swimming pool is to be connected to the sewer in accordance with Australian Standard AS 3500.2 Section 10.9.

# Minutes - Meeting of Tweed Shire Council

37. The swimming pool is not to be used for commercial purposes without prior Development Consent.

## ROADS/STREETS

38. Notwithstanding the issue of this development consent, separate consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road. If the proposed development requires driveway access (or modification of access) onto a public road, prior to the issue of a construction certificate and prior to any works taking place on the public road, a detailed application for access/driveway under Section 138 of the Road Act must be submitted to and consent granted by Council. Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee.

## DRAINAGE/FLOODING

39. All fill is to be graded so that it drains to the street or other approved permanent drainage system and where necessary, perimeter drainage is to be provided to ensure minimal impact on adjoining properties. If filling is required, a plan of proposed drainage is to be submitted with the Construction Certificate. Drainage must be installed and operational prior to commencement of any building work.

All fill or cut batters shall be contained wholly within the subject land.

40. All roof waters are to be disposed of through properly jointed pipes to the street gutter, interallotment drainage or to the satisfaction of the Principal Certifying Authority. All PVC pipes to have adequate cover and installed in accordance with the provisions of AS/NZS3500.3.2-1998. **Note** All roof water must be connected to an interallotment drainage system where available. A detailed stormwater and drainage plan is to be submitted to and approved by the PCA prior to commencement of building works.
41. All surface and seepage waters liable to be a nuisance are to be collected and diverted clear of the building site by an approved drainage system separate to the roof water system.
42. All agricultural drainage systems and surface water drainage systems are to be piped to the street separately to the stormwater system.
43. Permanent Stormwater Quality Treatment
- (a) Permanent stormwater quality treatment shall comply with "*Tweed Urban Stormwater Quality Management Plan*" (adopted by Council 19 April 2000) section 5.5.3 "Stormwater Objectives During the Post Construction or Occupational Phase of Development". New development is required to comply with table 5.4 of the plan and demonstrate compliance by modelling in accordance with section 5.5.4. Section 5.5.5 of the plan further advises that treatment that is in accordance with the "deemed to comply" provisions

# Minutes - Meeting of Tweed Shire Council

*of Appendix E - Tweed Shire Council, Aus-Spec D7 - Stormwater Quality is deemed to comply with the objectives in 5.5.3.*

- (b) Water sensitive design practices shall be adopted. Where it is practical, water quality features are to be designed into the land development site rather than rely on special end of pipe devices to strip pollutants and nutrients from stormwater prior to discharge. Typical water quality features that can be designed into the site development include use of porous pavements, directing runoff over filter strips or grass swales in landscaped areas, utilising landscaping as an integral part of stormwater quality management, maximising use of infiltration and stormwater reuse (eg. Rainwater tanks). These features can be complemented by site management practices which minimise creation of stormwater pollutants and nutrients and provide for appropriate operation, cleaning and maintenance of water quality control devices.
- (c) The Construction Certificate Application must include a detailed stormwater management plan (SWMP) for the occupational or use stage of the development, prepared in accordance with Section D7.07 of *Tweed Shire Council Aus-Spec D7 - Stormwater Quality*.
44. The peak stormwater flow rate that may be discharged from the site to the public realm, in events of intensity up to the ARI 100 year design storm, shall be 200l/s/ha. This may be achieved by on site detention (OSD), on site retention or a combination of both. Detention storage may be incorporated into surface depressions in landscaping or car parking areas. The maximum water depth under design conditions in vehicle parking areas shall be 200mm. OSD devices including discharge control pits (DCP) are to comply with standards in The Upper Parramatta River Catchment Trust "On-Site Stormwater Detention Handbook, Second Edition 1994") except that permissible site discharge (PSD) and site storage requirements (SSR) in the handbook do not apply to Tweed Shire. All these works and the connection to Councils drainage system shall be constructed in accordance with design calculations, plans and specifications to be submitted with the construction certificate application and approved by the Director of Engineering Services.
45. Section 68 Local Government Act 1993 approval for stormwater drainage works.
- A construction certificate application for works that involve any of the following:-
- connection of a private stormwater drain to a public stormwater drain
  - installation of stormwater quality control devices
  - erosion and sediment control works
- will not be approved until prior separate approval to do so has been granted by Council under section 68 of the Local Government Act 1993.

# Minutes - Meeting of Tweed Shire Council

Applications for these works must be submitted on Council's standard s68 stormwater drainage application form accompanied by the required attachments and the prescribed fee.

## SEWER

46. Sewer main within site is to be accurately located and the Principal Certifying Authority advised of its location and depth prior to start of any building works.
47. The building is to be sited at least one metre horizontally clear of sewer main on site. All footings and slabs within the area of influence of the sewer main are to be designed by a practising Structural Engineer. The engineer is to submit a certification to the Principal Certifying Authority that the design of such footings and slabs will ensure that all building loads will be transferred to the foundation material and will not effect or be affected by the sewer main.
48. All waste waters from the car wash down bay shall be directed to sewer. Waste water from car washing shall not be permitted to enter stormwater. The carwash area is required to be fully bunded with discharge via a 550 litre silt trap to sewerage. This requirement would require a holding tank with auto submersible pump fitted to enable discharge to sewer via a disconnecter gully trap. A Trade Waste Application and approval would need to be sought before commencement of discharge to sewer together with the prescribed fee.
49. In relation to the sewer diversion the following is to be undertaken to the satisfaction of Director Engineering Services:
  - a) The entire southern wall of the structure is to be founded at a minimum level of 4.2 metres. (Level refers to identical datum as those on plan 0306/01 prepared by Rod Gibb & Associates dated 26/6/2001).
  - b) Construction is to conform to Tweed Shire Council's Public Sewer Standard as referenced in DCP 16 and subsequent references.
  - c) The deviation is to be constructed prior to commencing any work on the footings of the building.
  - d) Work is to be carried out by Tweed Shire Council approved contractors.
  - e) The live connections are to be supervised by Tweed Shire Council staff. A minimum of 2 working days notice is required.
  - f) The approved contractor is to be confined spaces trained to meet OH & S requirements and have procedures for working around raw sewerage.
  - g) Any bi-pass pumping required for live connection work is to be provided by and at full cost to the developer and their contractors.
  - h) A 3 metre wide easement generally centred over the sewer is to be provided.

# Minutes - Meeting of Tweed Shire Council

## ENVIRONMENT PROTECTION

50. Suitable covering and protection is to be provided to ensure that no material is removed from the site by wind, causing nuisance to neighbouring properties.
51. All battered areas are to be topsoiled and grassed, or other suitable protection provided as soon as filling is placed adjacent to neighbouring properties.
52. 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.
53. 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.
54. The burning off of trees and associated vegetation felled by clearing operations is not permitted unless such burning is carried out in a specially constructed pit provided with an air curtain over the top. Separate approval is required prior to any burning.
55. 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.
56. All reasonable steps shall be taken to muffle and acoustically baffle all plant and equipment. In the event of complaints from the neighbours, which Council deem to be reasonable, the noise from the construction site is not to exceed the following:
  - A. Short Term Period - 4 weeks.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20dB(A) at the boundary of the nearest likely affected residence.
  - B. Long term period - the duration.

L10 noise level measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 15dB(A) at the boundary of the nearest affected residence.
57. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.
58. The burning of builders waste on site by open fire is prohibited.
59. All activities associated with the occupancy of the building are to comply with the Protection of the Environment Operations Act, 1997.
60. Prior to commencement of works all required sedimentation and siltation control measures are to be installed and operational to the satisfaction of the Principal Certifying Authority.



# Minutes - Meeting of Tweed Shire Council

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

61. The wall and roof cladding is to be of a non reflective nature to the satisfaction of the Principal Certifying Authority.
62. The LA10 noise level emitted from the premises shall not exceed the background noise level (LA90) in any Octave Band centre frequency (31.5 Hz – 8KHz inclusive) by more than 5dB(A) between 7am and 12 midnight, at the boundary of any affected residence. Notwithstanding the above, noise from the premises shall not be audible within any habitable room in any residential premises between the hours of 12 midnight and 7am weekdays and 12 midnight and 8am weekends.
63. Acid sulfate soils shall not be disturbed on the site in a manner which is likely to cause the discharge of acidic waters.

## **PLUMBING & DRAINAGE**

64. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
  - a. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
  - b. external drainage prior to backfilling.
  - c. completion of work.
65. A. A plumbing permit is to be obtained from Council prior to commencement of any plumbing and drainage work.  
B. The whole of the plumbing and drainage work is to be completed in accordance with the requirements of the NSW Code of Practice for Plumbing and Drainage.
66. An application to connect to Council's sewer is to be submitted to and approved by Council prior to the commencement of any works on the site.
67. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
68. Dry floor wastes shall not discharge over doors or windows or in any position where they cause a nuisance.

# Minutes - Meeting of Tweed Shire Council

69. Temperature and pressure relief lines from hot water systems shall discharge in the open as prescribed in Australian Standard AS 3500.4.1990 Section 4.12.3.
70. Water plumbing shall **not** be installed in concrete slabs or be laid under slabs on the ground.
71. Pressed steel baths and shower trays are to be bedded in accordance with the method prescribed by the manufacturer.
72. The Council approved wet area flashing installer is to supply to the Principal Certifying Authority certification that all wet area flashings have been installed in accordance with the Manufacturer's Specifications, detailing the rooms or areas involved and the date of installation. **Note:** Only Council approved installers may carry out this work and reference must be made to Council to confirm that such installers are Council approved.
73. All drainage lines are to be continuously bedded in accordance with the provisions of Section 5.4 AS 3500.2 - 1990.
74. Yard gully is to be located clear of the building and at a level not less than 150mm below the lowest fixture within the building and 75mm above finished ground level.
75. All new hot water installations shall deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding:-
  - \* 43.5<sup>0</sup>C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
  - \* 50<sup>0</sup>C in all other classes of buildings.A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

## Voting – Unanimous

### ATTENDANCE AT MEETING

Cr Carroll attended the meeting at 3.10pm.

### 3. Draft LEP 2000 Amendment - Housekeeping (Stage 1)

GT1/LEP/2000/1

Cr Luff

Cr Boyd

**PROPOSED** that:-

- A. In accordance with Section 54 of the Environmental Planning and Assessment Act, 1979 Council prepares a draft Local Environmental Plan to amend a series of “administrative housekeeping” matters being:

# Minutes - Meeting of Tweed Shire Council

## **1. Figure 1B - Lot 1 DP807182, Terranora Road (LEP 1987)**

Tweed LEP 2000 maps are amended by rezoning Lot 1 DP807182, Terranora Road to reflect the 7(d) boundary illustrated in Figure 1B

## **2. Figure 2 – Lot 466 DP755701, Willow Avenue, Bogangar**

Lot 466 on DP755701 be rezoned to 6(b) Recreation to reflect its original zoning within the LEP 1987 maps.

## **3. Figure 3B – Black Rocks (LEP 1987 – Amendment No. 11)**

Tweed LEP 2000 Zoning maps be amended and the zoning boundaries realigned in accordance with the LEP 1987 map (Amendment No. 11) as illustrated in Figure 3B.

## **4. Figure 4 – Murwillumbah Reservoir**

Rezone part Lot 713 DP3050 and Lot 971 DP3050 to 5(a) Special Facilities – Water Supply as shown in Figure 4.

## **5. Figure 5 – Council Owned Land Zoned (b) Recreation**

The following parcels of land be zoned in the following manner to better reflect their tenure, and their designated use.

- Lot 14 on DP746154 be zoned 5(a) Sewer Treatment Works.
- Lot 15 on DP 846287 be zoned 5(a) Drainage
- Lot 128 on DP 817783 be zoned 5(a) Drainage
- Lot 16 on DP 846287 be zoned 6(a) Open Space
- Lot 16 on DP841387 be zoned 6(a) Open Space
- Lot 530 on DP1010130 be zoned 6(a) Open Space
- Lot 535 on DP1010130 be zoned 6(a) Open Space
- Lot 1327 on DP1005077 be zoned 6(a) Open Space

## **6. Figure 6 – Lots 30 – 35 on DP803197, Caloola Drive, Tweed Heads**

Lots 30-35 DP 803197 shown in Figure 6 be rezoned back to 2(c) Urban Expansion, so that it is consistent with the zoning of the Tweed LEP 1987 maps.

## **7. Figure 7 - Lot 1 DP 218933, 762 Terranora Road, Terranora**

Tweed LEP 2000 maps are amended by rezoning Lot 1 on DP218933, as shown in Figure 7, to 1(c) Rural Living.

# Minutes - Meeting of Tweed Shire Council

## LEP 2000 WRITTEN DOCUMENT

### a) Training Facility

Tweed LEP 2000 be amended to delete the term 'training facility' from Clause 11 Item 3 in Zone 2(a) and from Schedule 1 the definition of 'educational establishment'.

### b) Definition of Depot

The definition of 'depot' within Schedule 1 of Tweed LEP 2000 be changed to the following:

*“depot                      land used for the storage and/or maintenance of plant, machinery, equipment, building materials and the like.”*

### c) Schedule 8 – Business Centres

Schedule 6 of the Tweed LEP 2000 be amended to specifically identify Business Centres referred to in the 2(a) zone under Table (C1.11) by creating a new set of maps, inclusive of maps 8A – 8J as referred to in the body of the report.

### d) Part 5 Roads, Clause 22(3)

Subclause C1 22(2) of the Tweed LEP 2000 be amended to include reference to Zone 5(a). The amendment to also be applied to Subclause 22(4)(d) because it is affected by the same anomaly.

### e) Clause 17 Social Impact Assessment

Clause 17(3) of the Tweed LEP 2000 be amended to reflect the same wording (“*socio-economic impact assessment*” instead of “*social impact assessment*”) and address the cumulative socio-economic impact of development. Clause 17 should be amended to read:

**“17                      *Socio-economic impact assessment***

(1)                      *Objective*

- *to ensure proper consideration of development that may have a significant social or economic impact.*

(2) *Where the consent authority considers that a proposed development is likely to have a significant social or economic impact in the locality or in the area of Tweed, the consent authority may only grant consent to the proposed development if it has considered a **socio-economic impact statement** in respect of the proposed development.*

(3)                      *The **socio-economic impact statement** must:*

- (a) *identify the likely future impacts of the development and the affected community, and*

# Minutes - Meeting of Tweed Shire Council

- (b) *analyse the impacts in terms of magnitude, significance, duration, effect on current and future conditions and community services, and the like, and*
- (c) *determine if the impacts will cause a loss of amenity within the locality due to a net reduction in community services and facilities, and*
- (d) *determine and assess possible measures for the management or mitigation of likely impacts.”*

## f) Clause 21(2) Subdivision in Zone 1(c)

Tweed LEP 2000 Clause 21(2) be amended as follows:

- “21(2) *Consent may be granted to the subdivision of land in Zone 1 (c) for residential purposes only if:*
- (a) *each allotment will be connected to a reticulated water supply system, or a tank water supply will be provided to the satisfaction of the consent authority, and*
  - (b) *the consent authority is satisfied that each allotment created is capable of accommodating adequate facilities for the treatment and disposal of sewage or will be connected to Councils reticulated sewerage system, and*
  - (c) *in the case of land to be connected to Councils reticulated sewerage system, the area of each lot created is not less than 0.4 hectare, and*
  - (d) *in the case of land not to be connected to Councils reticulated sewerage system, the area of each lot created is not less than 1 hectare.”*

## g) Flood Liable Land

Tweed LEP 2000 Clause 10 be amended so that reference to “flood liable” land be re-worded as follows:

*“10 (2) (c) (viii) **is identified, on a register or map kept by the Council and available for inspection at the office of the Council, as being below the 1:100 year flood level, contaminated, within a buffer area, subject to subsidence, slip or erosion, or in an area having significant bushfire hazard risk, or”***

- B. The Director-General of Urban Affairs and Planning be advised that in Council’s opinion a Local Environmental Study is not required given the relatively minor nature of the administrative housekeeping amendments being proposed and that the Director-General of Urban Affairs and Planning be requested to waive this requirement.

## AMENDMENT 1

# Minutes - Meeting of Tweed Shire Council

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245

Cr Beck

Cr Lawrie

**RESOLVED** that this item be the subject of a Council Workshop.

Amendment 1 was **Carried**

**Voting For**

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

**Voting Against**

Cr Boyd  
Cr Carroll  
Cr Luff

## AMENDMENT 2

Cr Luff

Cr Boyd

**PROPOSED** that this item be deferred until later in the meeting.

Amendment 2 was **Lost**

**Voting For**

Cr Boyd  
Cr Carroll  
Cr Luff

**Voting Against**

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

Amendment 1 on becoming the Motion was **Carried**

**Voting - Unanimous**

## LATE ITEM

246

Cr Boyd

Cr Marshall

**RESOLVED** that Item 3a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## 3a. Tweed Heads Central Area

GT1/LEP/2000 Pt1; GT1/DCP/18 Pt 6

Cr Boyd

Cr Carroll

**PROPOSED** that:-

1. Council:-
  - i. Supports the Tweed Economic Development Corporation as set out in its letter to Council dated 2 October 2001;
  - ii. Nominates the Mayor and Director of Development Services to be included in the deputation.
2. An assessment of the Tweed Heads Central Area Study be submitted to Council on 17 October, 2001 in respect of its implications for Tweed Local Environmental Plan 2000 and Development Control Plan No 18.

### AMENDMENT

247

Cr Beck

Cr Lawrie

**RESOLVED** that:-

1. Council:-
  - i. Supports the Tweed Economic Development Corporation as set out in its letter to Council dated 2 October 2001;
  - ii. Nominates the Mayor and the General Manager to be included in the deputation.
2. An assessment of the Tweed Heads Central Area Study be submitted to Council on 17 October, 2001 in respect of its implications for Tweed Local Environmental Plan 2000 and Development Control Plan No 18.

The Amendment was **Carried**

#### Voting For

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

#### Voting Against

Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr Luff

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

# Minutes - Meeting of Tweed Shire Council

## Voting For

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

## Voting Against

Cr Boyd  
Cr Carroll

## REPORTS FROM DIRECTOR CORPORATE SERVICES

### 4. The Anchorage - Harbour Lot Public Access

#### Land Development - Anchorage, Anchorage Footbridge

248

Cr Marshall

Cr Luff

**RESOLVED** that this matter be deferred until the next meeting of Council.

**Voting - Unanimous**

### 5. NSW Local Government Aboriginal Network - Membership

#### Aboriginal Matters

249

Cr Boyd

Cr Davidson

**RESOLVED** that Council pays the application the fee of \$50.00 and the annual membership fee of \$100.00 to the NSW Local Government Aboriginal Network.

## Voting For

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

## Voting Against

Cr Beck  
Cr Brinsmead  
Cr Lawrie  
Cr Marshall

### 6. Council Committees - Delegations to September 2002

#### Committees of Council

250

Cr Boyd

Cr Davidson

**RESOLVED** that Cr Marshall be the Council delegate to the Casuarina Beach Dune Management Plan Monitoring Review Committee.



# Minutes - Meeting of Tweed Shire Council

## Voting For

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

## Voting Against

Cr Luff

**251**

**Cr Lawrie**

**Cr Youngblutt**

**RESOLVED** that:-

1. Cr Marshall be the Council delegate to the Companion Animal Committee.
2. Council officers confirm additional membership to this Committee.

**Voting – Unanimous**

**252**

**Cr Marshall**

**Cr Youngblutt**

**RESOLVED** that Cr Marshall be the alternative delegate to the Coolangatta Airport Regional Advisory Committee.

**Voting – Unanimous**

**253**

**Cr Lawrie**

**Cr Youngblutt**

**RESOLVED** that Cr Marshall and Cr Brinsmead be Council's delegates to Tweed and Coolangatta Tourism Incorporated.

**Voting - Unanimous**

**254**

**Cr Brinsmead**

**Cr Youngblutt**

**RESOLVED** that Council:-

1. Deletes the following committees:  
  
Home & Community Care Centre Working Management Group  
  
ILAP Advisory Committee, Joint Council Border Gateway Committee  
  
Millennium & Centenary of Federation Advisory Committee

# Minutes - Meeting of Tweed Shire Council

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Murwillumbah Design Advisory Committee

New Tweed River Regional Art Gallery Committee

Tweed Games Committee

2. Requires the General Manager to rationalise, where practical the number of officers attending Council Committee meetings.
3. Makes appointments to the following Committees for the period ending 30 September 2002:-

**Committee:** Aboriginal Liaison Committee

**Councillors:** Boyd

**Contact:** Sharen Smith

**Staff:** Sharen Smith

**Others:** Mr Frank Krasna (Inaugural Chairman), representatives of Aboriginal Organisations and Community of Tweed Local Government Area

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**Committee:** Agenda 21 Steering Committee

**Councillors:** Boyd Davidson, Lawrie

**Contact:** Don Buckley

**Staff:** Don Buckley, Geoff Edwards, Stewart Brawley, Douglas Jardine, Don McAllister, Graham Judge

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**Committee:** Alternate Waste Disposal Working Party

**Councillors:** Mayor, Marshall, Boyd

**Contact:** I Percy

**Staff:** DECS, I Percy

**Others:** Joint Working Party with Gold Coast City Council, Redlands, Logan & Beaudesert

**Comment:** 4/4/2001 Min 924. 3 Delegates required.

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# Minutes - Meeting of Tweed Shire Council

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**Committee:** Area Assistance Committee  
**Councillors:** Marshall, Carroll  
**Contact:** Jenni Funari  
**Staff:** Jenni Funari  
**Others:** Statutory Committee of State Dept of Urban Affairs & Planning  
**Comment:** Delegates

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**Committee:** Banora Point Community Centre Establishment Committee  
**Councillors:** Lawrie  
**Contact:** Geoff Edwards  
**Staff:** Geoff Edwards, Robin Spragg, Peter Brook  
**Others:** Anne Grace (Family Centre), Lesley Baker (Tweed Heads & Greenbank Community Preschools), Michelle Hartley (Tweed Heads & Greenbank Community Preschools), Jane Wilkinson (Tweed Heads & Greenbank Community Preschools), Merran Marriott (Centaur Parents & Citizens), Darryl Luhrs (Salvation Army), Neil Clanfield (Salvation Army), John Murray (Banora Point Residents' Association), George Bonomo (Banora Point Resident's Association), Mark Trotter (Fulton Trotter Partners), Emma Harcourt (Fulton Trotter Partners), Robert Weisner (Fulton Trotter Partners).  
**Comment:** 6/6/2001 Min No 1092

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**Committee:** Burringbar Sewerage Community Reference Group  
**Councillors:** Polglase, Marshall  
**Alternate:**  
**Contact:** A Abedrabbo  
**Staff:** A Abedrabbo, M Rayner, P Ainsworth  
**Others:** Tom Tabart (Burringbar & District Progress Association & Local Landcare Group), Stuart Cahill (Burringbar Progress Association), Bob McTackett (Burringbar & District Progress Association) Bruce Douglas (Community Rep), Joanne Wyatt (Community Rep)

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# Minutes - Meeting of Tweed Shire Council

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**Committee:** Cabarita Beach Surf Club Working Group  
**Councillors:** Davidson, James  
**Contact:** Geoff Edwards  
**Staff:** Geoff Edwards, Don Buckley  
**Others:** Wilson Cregan, Fred Perlenfein, Bruce Douglas, Anita Raftery, Terry Kane, Tim Smerd, Patrick Raftery, Steve Dale, Peter Skaines  
**Frequency:** Monthly as required  
**Place:** CBSC  
**Duration:** 1 ½ hours

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**Committee:** Casuarina Beach Dune Management Plan Monitoring Review Committee  
**Councillors:** Marshall  
**Contact:** Stewart Brawley  
**Staff:** Stewart Brawley  
**Comment:** 7/2/2001. One delegate only – decision required.

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**Committee:** Chinderah Planning Committee  
**Councillors:** Beck, Brinsmead, Davidson, Polglase  
**Contact:** Douglas Jardine  
**Staff:** Douglas Jardine, John Henley  
**Frequency:** As required  
**Place:** Council  
**Duration:** 1-1 ½ hrs

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**Committee:** Clarie Hall Dam Fishery Management Committee  
**Councillors:** Beck, Youngblutt  
**Contact:** John Henley  
**Staff:** John Henley

# Minutes - Meeting of Tweed Shire Council

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**Others:** Bob Loring, Colin Wiley, Chris Estreich, Barry Saunders, Tom Senti + Corresponding Members: Lindsay Cram, David Gardner, Leslie Brims, Michael Elliott, Des Charles

**Frequency:** As required

**Place:** Council

**Duration:** 1-1 ½ hrs

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**Committee:** Coastal Hazard Committee

**Councillors:** James, Marshall, Boyd, Luff

**Contact:** Mike Rayner

**Comment:** New Committee

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**Committee:** Communication Committee

**Councillors:** Davidson, Carroll, Boyd

**Contact:** Marilyn Smith

**Staff:** Marilyn Smith, Ian Carpenter

**Others:** Ray Carlile, Jude Robb, 1 new appointment

**Frequency:** Monthly

**Place:** Murwillumbah

**Duration:** 1 ½ hrs

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**Committee:** Community Advisory Committee

**Councillors:** Boyd, Luff, Marshall

**Contact:** Geoff Edwards

**Staff:** Maggie Groff, Geoff Edwards

**Frequency:** 9.30 am bi-monthly, 3rd Thursday of month

**Place:** Murwillumbah/Tweed

**Duration:** 2 hrs

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# Minutes - Meeting of Tweed Shire Council

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**Committee:** Community Cultural Development Advisory Committee  
**Councillors:** Boyd, Carroll  
**Contact:** Lesley Buckley  
**Staff:** Lesley Buckley, Geoff Edwards  
**Others:** Tony King (Chair), Glenda Nalder, Judith Sutton, Garry Corbett

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**Committee:** Community Development and Expenditure Scheme Committee  
**Councillors:** Nil  
**Contact:** Geoff Edwards,  
**Staff:** Geoff Edwards,  
**Others:** John Smith and Phillip Kelly (Kingscliff Bowls Club); Ron Lewis (Club Banora); Jenny Wrights (Cabarita Bowls Club); Dallas Ryan (Twin Towns Services Club); Lindsay Howard-Smith (Murwillumbah Services Club); Phillip Dark (Coolangatta-Tweed Golf Club); Michael Hill (Seagulls); Gordon Rhodes and Penne Jeffouse (South Tweed Bowls Club); Geoff Provest (Tweed Heads Bowls Club); Terry Collier (Dept of Community Services); Ron McLean (Seagulls), Jenni, Funari (NCCOS)  
**Place:** Tweed Heads  
**Duration:** 2 hours  
**Comment:** This is not a committee of Council.

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**Committee:** Community Development Plan Working Group  
**Councillors:** Carroll  
**Contact:** Jenni Funari, Robin Spragg  
**Staff:** Jenni Funari, Robin Spragg

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**Committee:** Community Options Project Management Committee  
**Councillors:** Carroll, Marshall  
**Contact:** Sharyn Angel  
**Staff:** Don Buckley, Geoff Edwards, Sharyn Angel, Marilyn Haan

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# Minutes - Meeting of Tweed Shire Council

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**Frequency:** As required

**Place:** Council

**Duration:** As required

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**Committee:** Companion Animal Committee

**Councillors:** Marshall

**Contact:** Peter Ainsworth

**Staff:** Don Buckley, Terry Lintern, Peter Ainsworth

**Others:** Rob Philp, Digby Moore, Alma McAllister, Christie Walker, Wendy Marshall, Len Greer, Noela Wynne, Audrey Rennison, Milena Morrow (Companion Animal Owners)

**Frequency:** First Monday bi-monthly at 8.00am

**Place:** Rous Room

**Duration:** 2 hrs

**Comment:** 2 Delegates required.

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**Committee:** Contiguous Local Authority Group (Mosquito Control)

**Councillors:** Marshall

**Contact:** Clive Easton

**Staff:** Clive Easton, Don Buckley

**Frequency:** Quarterly meeting day to be advised

**Place:** Rotational (Tweed-Redlands)

**Duration:** All day

**Comment:** Renamed from Biting Midge Research and Control Committee. 2 Delegates required.

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**Committee:** Coolangatta Airport Environment Management Committee

**Councillors:** N/a

**Contact:** Don Buckley

**Staff:** Don Buckley

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# Minutes - Meeting of Tweed Shire Council

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**Others:** As appointed by Gold Coast Airport

**Frequency:** TBA

**Duration:** 1-2 hrs

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**Committee:** Coolangatta Airport Noise Abatement Consultative Committee

**Councillors:** N/a

**Contact:** Don Buckley

**Staff:** Don Buckley

**Others:** As appointed by Gold Coast Airport

**Frequency:** TBA

**Duration:** 1-2 hrs

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**Committee:** Coolangatta Airport Regional Advisory Committee

**Councillors:** Polglase

**Alternate:** Marshall

**Contact:** John Griffin

**Others:** 2 reps Qld Airports Ltd, 2 reps GCCC, 1 rep GC Tourism Board, 1 rep TACTIC, 1 rep GC Economic Dev Org, 1 rep TEDCO, Mr. Trevor Stephenson (community rep TSC), 1 community rep GCCC

**Frequency:** Monthly

**Place:** Council

**Duration:** 1-2 hrs

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**Committee:** Cudgen Lake Catchment Rehabilitation Committee

**Councillors:** Davidson, James, Marshall

**Contact:** Mark Tunks

**Staff:** Mark Tunks, Don Buckley

**Others:** Rhonda James, Harry Boyd, Lance Tarvey, Betty Wood, Bill Shaw, Robert Quirk, Reg Carter, Geoff Provest, Rob Loring, Richard Hagley, Stan Dawson, Nigel Greenup, Douglas Jardine



# Minutes - Meeting of Tweed Shire Council

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**Frequency:** As required

**Place:** Council

**Duration:** 2 hrs

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**Committee:** Development Assessment Panel

**Councillors:** Nil

**Contact:** Garry Smith

**Staff:** Garry Smith, Rick Paterson, Don McAllister

**Frequency:** Wednesday & Friday each week

**Place:** Rous Room

**Duration:** As required

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**Committee:** Far North Coast County Council

**Councillors:** Youngblutt

**Frequency:** Monthly (3rd Thursday)

**Place:** Rotational

**Duration:** All day

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**Committee:** Flood Plain Management Committee

**Councillors:** Boyd, Brinsmead, Marshall

**Contact:** John Henley

**Staff:** John Henley, Douglas Jardine, Mike Rayner

**Others:** Reps of DLAWC, DUAP, SES & Community reps as appropriate (P Reynolds, J Everingham, I Taylor (DLWC), T Flood (SES))

**Frequency:** As required (infrequent)

**Place:** Council

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# Minutes - Meeting of Tweed Shire Council

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**Committee:** General Manager Review Committee  
**Councillors:** Mayor, Deputy Mayor, Crs Carroll, Lawrie, Youngblutt, Beck, Luff  
**Contact:** Mayor  
**Frequency:** 6 monthly  
**Comment:** Committee of 7 with a quorum of 4

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**Committee:** Joint Tourism Committee  
**Councillors:** Boyd, Marshall  
**Contact:** Marilyn Smith  
**Staff:** Marilyn Smith  
**Frequency:** 10 am Monday (approx 2 monthly)  
**Place:** Rotational  
**Duration:** All Day  
**Comment:** 20/10/99

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**Committee:** Krekelberg Environment Reserve Management Committee  
**Councillors:** James  
**Contact:** Stewart Brawley  
**Staff:** Stewart Brawley  
**Others:** Peter Krekelberg, Len Greer  
**Frequency:** As required  
**Place:** Pottsville Environment Park  
**Duration:** 1 hr  
**Comment:** 1 Delegate only as per legal agreement.

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**Committee:** Lend Lease Development – The Anchorage  
**Councillors:** Polglase, Marshall  
**Contact:** Ian Carpenter

# Minutes - Meeting of Tweed Shire Council

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**Staff:** Ian Carpenter, Richard Adams, Stewart Brawley  
**Frequency:** 3 monthly  
**Place:** The Anchorage Tweed Heads  
**Duration:** 2 hrs

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**Committee:** Local Environmental Plan Advisory Committee  
**Councillors:** Polglase, Beck, Boyd, Brinsmead, Marshall  
**Contact:** Douglas Jardine  
**Staff:** David Broyd, Douglas Jardine  
**Others:** Bruce Graham, Trevor Stephenson, Col Brooks, Don Beck, Alan McIntosh, Athol Dobson, Mike Allen, Darren Gibson, Craig Venner, Tom Senti  
**Frequency:** Third Tuesday of each month at 2.00pm  
**Place:** Canvas & Kettle  
**Duration:** 1 ½ hours  
**Comment:** First mtg 30/1/2001

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**Committee:** Local Traffic Committee  
**Councillors:** Davidson  
**Alternative:** Marshall  
**Contact:** Paul Morgan  
**Staff:** Paul Morgan (Chairman) Judith Finch, Ray Clark  
**Others:** Mr Neville Newell, MP, State Member for Tweed, Mr Don Page, MP, State Member for Ballina, Police Representative and Mr Mike Baldwin, RTA Representative  
**Frequency:** Monthly or as need arises  
**Place:** Oxley Room  
**Duration:** Approx. 2 hrs

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# Minutes - Meeting of Tweed Shire Council

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**Committee:** Lot 490 Committee  
**Councillors:** All Trustees  
**Contact:** Ian Carpenter  
**Staff:** Ian Carpenter, David Broyd  
**Others:** Representative from each of the following: (DLAWC), (Tourism NSW), Trevor Wilson (DSARD), Malcolm Emery (DUAP), Ian Norris (Probity Officer), Trustee(s) Tweed Shire Council, One Community Representative

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**Committee:** Murwillumbah Airfield Management Committee  
**Councillors:** Beck, Boyd  
**Alternative:** Youngblutt  
**Contact:** Richard Adams  
**Staff:** Richard Adams  
**Others:** Greyden S Tapp (Tapp's Aviation), Brian Budd, J H Williams, Ken Zealey  
**Frequency:** As need arises  
**Place:** Murwillumbah Airfield

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**Committee:** New Art Gallery Construction Committee  
**Councillors:** Polglase, Boyd, Beck, Davidson and Youngblutt  
**Contact:** MEH  
**Staff:** Director Environment & Community Services, Manager Environment & Health  
**Others:** Architect, a representative of the Friends of the Gallery, and the Art Gallery Director  
**Comment:** New Committee 5/9/2001

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**Committee:** Northern Rivers Catchment Management Board  
**Councillors:** Boyd (Ministerial Appointment)  
**Contact:** Cr Boyd

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# Minutes - Meeting of Tweed Shire Council

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**Staff:**

**Others:**

**Frequency:**

**Place:** Canvas & Kettle

**Comment:** Ratified 6/10

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**Committee:** Northern Rivers Regional Strategy Management Committee

**Councillors:** Marshall (Delegate)

**Alternative:** Boyd

**Staff:** Douglas Jardine

**Frequency:** Bi monthly

**Place:** Rotational

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**Committee:** Northern Rivers Regional Strategy/Tweed-Brunswick Valley Committee

**Councillors:** Marshall (Chair-appointed by DUAP)

**Contact:** Katrina Luckie

**Staff:** David Broyd

**Frequency:** Monthly

**Place:** M'bah Civic Centre

**Duration:** 1-2 hrs

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**Committee:** Northern Rivers Water Management Committee

**Councillors:**

**Alternate:** Boyd

**Comment:** Notified 26/9/01

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# Minutes - Meeting of Tweed Shire Council

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**Committee:** Public Transport Committee  
**Councillors:** Luff  
**Alternate:** Marshall  
**Contact:** Robin Spragg  
**Staff:** Robin Spragg, Paul Morgan  
**Others:** Stephanie Cooper (Public Trans Dev Proj), other transport industry reps & community reps  
**Frequency:** Monthly 3.30 pm Tuesday  
**Place:** Murwillumbah TAFE  
**Duration:** 2-3 hrs

---

**Committee:** Recycling Review Committee  
**Councillors:** Youngblutt  
**Contact:** Ian Percy  
**Staff:** Ian Percy, Geoff Edwards, Don Buckley  
**Others:** Contracting representative  
**Frequency:** As required  
**Place:** Council  
**Duration:** 2 hrs

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**Committee:** Regional Companion Animals Committee  
**Councillors:** Marshall (Chair)  
**Contact:** Peter Ainsworth  
**Staff:** Peter Ainsworth  
**Comment:** 20/9/2000

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**Committee:** Richmond-Tweed Regional Library Committee  
**Councillors:** Boyd, Polglase  
**Contact:** Geoff Edwards

# Minutes - Meeting of Tweed Shire Council

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**Staff:** Don Buckley, Geoff Edwards  
**Frequency:** 10 am 2nd Thursday (Feb, May, Aug, Nov)  
**Place:** Rotational  
**Duration:** 4 hrs

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**Committee:** Rural Fire Service Liaison Committee  
**Councillors:** James, Youngblutt  
**Comment:** New Committee 20/6/2001

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**Committee:** Southern Regional Organisation of Councils (SouthROC)  
**Councillors:** Boyd, Marshall  
**Alternate:** James  
**Contact:** Ian Carpenter  
**Frequency:** Thursday (monthly)  
**Place:** Rotational (Tweed-Redlands)  
**Duration:** 4 hrs

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**Committee:** Sports Advisory Committee  
**Councillors:** Boyd, Polglase, Youngblutt, Davidson  
**Contact:** Stewart Brawley  
**Staff:** Stewart Brawley, Don Buckley  
**Others:** M Edwards, L Sharpe, K Brennan, P Moschogianis, R Brisby, G Kenny, A Walker, R Conlon  
**Frequency:** 3rd Tuesday bi-monthly 5pm  
**Place:** Alternates Tweed/ Buchanan Room

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**Committee:** Strategic Planning Committee  
**Councillors:** Committee of the Whole  
**Contact:** Douglas Jardine

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# Minutes - Meeting of Tweed Shire Council

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**Staff:** Douglas Jardine, staff from SPU

**Frequency:** 2nd Wed (monthly) 2.30pm

**Comment:** 1/12/99

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**Committee:** Tweed & Coolangatta Tourism Inc

**Councillors:** Brinsmead, Marshall

**Contact:** Ian Carpenter

**Frequency:** Irregularly

**Comment:** Two Council delegates as per agreement.

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**Committee:** Tweed Australia Day Committee

**Councillors:** Beck, Marshall

**Contact:** Brian Donaghy

**Frequency:** As required

**Place:** Council

**Comment:**

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**Committee:** Tweed Bush Fire Management Committee

**Councillors:** Youngblutt

**Others:** Emergency Organisation reps

**Frequency:** Twice yearly (minimum)

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**Committee:** Tweed Coastal Committee

**Councillors:** Boyd, James, Marshall

**Contact:** Jane Lofthouse

**Staff:** John Henley, Stewart Brawley, Jane Lofthouse

**Others:** C Cormack (Waterways Auth), R James (Caldera), G Budd (EPA), T Rabbidge, R Hagley (Dept Land & Water Cons), L Tarvey (NPWS), N Newell (State Member), G Thorpe (Hastings Pt) J Harbison (P'ville), T Kane (Bogangar), E Griffiths (K'cliff), C Venner (TBLC)

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# Minutes - Meeting of Tweed Shire Council

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**Frequency:** 2 monthly approx.  
**Place:** Canvas & Kettle Restaurant  
**Duration:** 2 hrs  
**Comment:** Originally only 3 Councillors

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**Committee:** Tweed Dune Care Advisory Committee  
**Councillors:** Boyd, James  
**Contact:** Stewart Brawley  
**Staff:** R Keevers, S Brawley, B Scott, K Bolton  
**Others:** G Thorpe, F McLeod, J Kelly, B Scott, K McKenzie, R Glover, M Stewart, L Greer, C Lynch, P Langley, J Davidson, I Anderson  
**Frequency:** Bi-monthly 5-7 pm  
**Place:** Pottsville Environment Centre  
**Duration:** 2 hrs

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**Committee:** Tweed Economic Development Corporation  
**Councillors:** Polglase, Marshall  
**Contact:** Dr John Griffin  
**Others:** Tweed Shire Town Centres Committee  
**Comment:** Includes Tweed Shire Town Centres C'ttee

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**Committee:** Tweed River Committee  
**Councillors:** Boyd, James, Marshall  
**Contact:** Jane Lofthouse  
**Staff:** John Henley, Graham Judge, Geoff Edwards, Jane Lofthouse  
**Others:** C Comack (Waterways Auth) R James (Caldera) G Budd (EPA) T Rabbidge, R Hagley (DLWC), L Tarvey (NPWS), Bob Loring (NSW Fisheries), N Newell (State Member), A Blundell (T & J Blundell), R Quirk (TRAC & NSW Canegrowers Assn)  
**Frequency:** 2 monthly approx

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# Minutes - Meeting of Tweed Shire Council

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**Place:** Canvas & Kettle Restaurant  
**Duration:** 3 hrs  
**Comment:** (formerly Tweed River Management Plan Advisory Committee Renamed 8/8/01) - Originally only 3 Councillors

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**Committee:** Tweed River Regional Art Gallery Advisory Committee  
**Councillors:** Beck, Boyd  
**Contact:** Garry Corbett  
**Staff:** Gary Corbett, Geoff Edwards  
**Others:** M Anthony, D Francis, A King, R Stephens, R Watson, J Flett, J Sutton, A Schardin, B Connery, D Calrow  
**Frequency:** Every 6 weeks approx  
**Place:** Gallery  
**Duration:** 2 hrs

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**Committee:** Tweed Shire Council Bush Fire Risk Management Implementation Committee  
**Councillors:** James, Youngblutt  
**Staff:** Stewart Brawley, Douglas Jardine, John Henley, Geoff Edwards, Brian Donaghy  
**Comment:** Min 31 of 18/7/2001

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**Committee:** Tweed Shire Council Consultative Committee  
**Councillors:** Marshall  
**Alternative:** Davidson  
**Contact:** Joyce Lillyin  
**Staff:** Joyce Lillyin, MEU Rep (2), Ruth Ormella, Edward Dickson, Greg James, Merv Bridger, Greg James, Gary McArthur, Steve Sharp, Bill Miller, DES, LGEA Rep, HBSA Rep  
**Frequency:** 3rd Thursday of month  
**Place:** Buchanan Room

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# Minutes - Meeting of Tweed Shire Council

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**Duration:** 1-2 hrs

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**Committee:** Tweed Shire Council Disability Access Committee

**Councillors:** Boyd, Marshall

**Contact:** Maggie Groff

**Staff:** Maggie Groff, Stewart Brawley, Ross Cameron, Ray Clark, Bob Missingham

**Others:** E Booth, B Chapman, U Cowdroy, R Douglas, P Frost, S Gamble, A Maglaras, G Martin, B McKennarney, A Fisher, J Needham, M O'Brien, S Pigram, S Pollit, S Zak, M Cooper, D Baker

**Frequency:** 3rd Thursday of month

**Place:** Tweed HACC Centre, Mbah Buchanan Room

**Duration:** 2 hrs

**Comment:** Requested that name include Disability as it can get mixed up.

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**Committee:** Tweed Shire Council Mayor's Disaster Relief Fund

**Councillors:** Mayor, Deputy Mayor, Brinsmead

**Contact:** Mayor

**Frequency:** As required

**Place:** Council

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**Committee:** Tweed Shire Council Occupational Health & Safety Committee

**Councillors:** Marshall

**Contact:** Geoff Hussey

**Staff:** R Harper, R Jones, T Dawson, N Hunt, I Dusi, B Alexander, R Norvill, R Missingham, S Brawley, Ian Carpenter

**Frequency:** Monthly 2nd Wednesday each month

**Place:** Buchanan Room

**Duration:** 1 hr

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# Minutes - Meeting of Tweed Shire Council

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**Committee:** Tweed Shire Local Emergency Committee  
**Councillors:** Polglase  
**Contact:** Geoff Edwards  
**Staff:** Geoff Edwards, Ian Percy  
**Others:** Emergency Organisation representatives

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**Committee:** Vegetation Management Plan Committee  
**Councillors:** James, Youngblutt, Boyd  
**Contact:** Graham Judge  
**Staff:** Graham Judge, Douglas Jardine, Stewart Brawley  
**Others:** Mr Brian Sandercock, Ms Barbara Stewart, Mr Gary Varga, Ms Rhonda James, Ms Kate McKenzie, Mr Robert Quirk, Mr Jim O'Brien, Mr Paul Bolster, Mr Paul Hopkins, Mr Peter Mason, Mr David Lovell, Mr Colin Brooks (Combined Rural Industries), Mr Mark Kingston (Ecograph), Ms Diane Mackay (National Parks & Wildlife Service), Mr Bruce Hungerford (DLAWC) and Mr David Hart (DLAWC).

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**Committee:** Water & Wastewater Infrastructure Steering Committee – Kingscliff Wastewater Augmentation  
**Councillors:** Boyd, Brinsmead, Davidson, Polglase  
**Contact:** John Henley  
**Staff:** John Henley  
**Others:** C Hennessy (DLWC), I Norris (DPW&S)  
**Frequency:** As required  
**Place:** Peter Border Room  
**Duration:** 2-3 hrs  
**Comment:** DLAWC Committee

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# Minutes - Meeting of Tweed Shire Council

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**Committees no longer operational are:**

**Committee:** Home & Community Care Centre Working Management Group

**Councillors:** Marshall

**Contact:** Maggie Groff

**Staff:** Maggie Groff

**Frequency:** 3rd Tuesday of month 11 am (bi-monthly)

**Place:** HACC Centre

**Duration:** 1 hr

**Comment:** Not operational.

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**Committee:** ILAP Advisory Committee

**Councillors:**

**Contact:** Douglas Jardine

**Staff:** John Griffin, David Broyd, Doug Jardine

**Others:** Members of the Public

**Comment:** Pending further report

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**Committee:** Joint Council Border Gateway Committee

**Councillors:** Luff

**Contact:** Don McAllister

**Staff:** Don McAllister

**Others:** Cr Sue Robbins GCCC, Mr. R. Roylance TTSC, Mr. M Cotton, Mr. V. Faley, Mr. G. Bilton GCCC

**Place:** Board Room Twin Towns Services Club

**Comment:** Completed

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**Committee:** Millennium & Centenary of Federation Advisory Committee

**Councillors:** Boyd, Marshall

**Contact:** Lesley Buckley

# Minutes - Meeting of Tweed Shire Council

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**Others:** Terry Cleal (Chairperson), Carmel Harris, Sandra Flannery, Mary Lee Connery, Ken McDonald, Vic Crowley

**Comment:** 3/11/99 reconstituted

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**Committee:** Murwillumbah Design Advisory Committee

**Councillors:** Lawrie, Luff, Youngblutt

**Contact:** Brian Donaghy

**Staff:** Mike Rayner, David Broyd, Brian Donaghy, Don McAllister

**Others:** Carmel Harris (Main St Coord), Retail sector & community reps.

**Comment:** Completed

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**Committee:** New Tweed River Regional Art Gallery Committee

**Councillors:** Beck, Davidson, Boyd, Polglase

**Contact:** Geoff Edwards

**Staff:** John Griffin, Don Buckley, Geoff Edwards, Ann Schardin, Gary Corbett

**Others:** 1 Art Gallery Advisory Committee rep and 2 Friends of the Gallery reps

**Frequency:** As required

**Place:** Art Gallery

**Duration:** 1-2 hrs

**Comment:** New Committee 15/12/99

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**Committee:** Tweed Games Committee

**Councillors:** Polglase

**Contact:** Stewart Brawley

**Staff:** Marilyn Smith, Stewart Brawley

**Others:** P Moschogianis, R Quirk, R Pettyfor, R Brisby, K Baldwin, D Black

**Comment:** 17/11/99 - Defunct

**Voting – Unanimous**

# Minutes - Meeting of Tweed Shire Council

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## 7. Pecuniary Interest Ordinary Returns and Register

Pecuniary Interest

255

Cr Luff

Cr Marshall

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

The Manager Administration Services tabled the Pecuniary Interest Register.

**Voting - Unanimous**

## 8. Tweed and Coolangatta Tourism Inc. (TACTIC) Monthly Performance Report - August 2001

TACTIC

256

Cr Luff

Cr Boyd

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

**Voting - Unanimous**

### LATE ITEM

257

Cr Boyd

Cr Marshall

**RESOLVED** that Item 8a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

**Voting - Unanimous**

## 8a. Southern Cross University Campus, Tweed Heads

Southern Cross University

258

Cr Luff

Cr Carroll

**RESOLVED** that the Common Seal of Council be executed on the amended documents as outlined in the report.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## REPORTS FROM DIRECTOR ENGINEERING SERVICES

### 9. Destratification of Clarrie Hall Dam

Water - Capital Works - Dams

259

Cr Luff

Cr Carroll

**RESOLVED** that tenders be called for the supply and installation of a destratification unit for Clarrie Hall Dam.

**Voting - Unanimous**

### 10. Uki Sewerage Scheme Revised Financial Assistance Offer

Sewerage - Uki - Augmentation Stage 1

260

Cr Luff

Cr Boyd

**RESOLVED** that Council accepts the Minister's offer of assistance for the Uki Sewerage Scheme in accordance with the conditions of offer and subject to minor qualifications detailed in this report.

**Voting - Unanimous**

### 11. Classification of Land as Operational - Greenview Developments Pty Ltd

Subdivision at Walmsley Road, Bilambil Heights

GS4/97/94 Pt3

261

Cr Boyd

Cr Davidson

**RESOLVED** that the land proposed to be transferred to Council as a Pumping Station, described as proposed Lot 32 in the subdivision of Lots 1 & 2 in DP 537490 be classified as Operational under Section 31 of the Local Government Act, 1993.

**Voting - Unanimous**

### 12. Tweed Road Contribution Plan Amendments, SEPP5 and Fast Food Outlets

GT1/S94/4 Pt4

Cr Luff

Cr Boyd

**PROPOSED** that Council, in accordance with clause 31 of the Environmental Planning and Assessment Regulation 2000, approves the draft Tweed Road Contributions Plan (Contributions Plan No 4 - Version 4.4) in the form it was publicly exhibited.

## AMENDMENT

262

Cr Brinsmead

Cr Youngblutt

**RESOLVED** that this item be deferred to allow this item be the subject of a Workshop.



# Minutes - Meeting of Tweed Shire Council

## PROCEDURAL MOTION

263

**Cr Boyd**

**RESOLVED** that the Motion be put.

**Voting - Unanimous**

The Amendment was **Carried**

**Voting For**

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

**Voting Against**

Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr Luff

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

**Voting For**

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

**Voting Against**

Cr Boyd  
Cr Carroll  
Cr Luff

## REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

### 13. Sports Advisory Committee

**Sports Advisory Committee**

**Cr Beck**

**Cr Marshall**

**PROPOSED** that Council calls for nominations for the eight community representatives on the Sports Advisory Committee each being from a different sport.

#### AMENDMENT

264

**Cr Boyd**

**Cr Luff**

**RESOLVED** that Council calls for nominations for the eight community representatives on the Sports Advisory Committee

The Amendment was **Carried**

# Minutes - Meeting of Tweed Shire Council

## Voting For

Cr Polglase  
Cr Boyd  
Cr Davidson  
Cr Lawrie  
Cr Luff  
Cr Youngblutt

## Voting Against

Cr Beck  
Cr Brinsmead  
Cr Carroll  
Cr Marshall

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

## Voting - Unanimous

### 14. Works Program for Toilet Block Construction Purposes

#### Public Toilets

265

Cr Youngblutt

Cr Davidson

**RESOLVED** that Council:-

1. Adopts the priority list for new toilets as set out below:-
  - Opposite Waugh Street, Chinderah
  - Fingal Beach
  - Riverside Drive, Tumbulgum
  - Lizzio Park, Condong
2. Waives headworks contribution charges for all public toilet blocks.

## Voting - Unanimous

### TEMPORARY ABSENCE FROM MEETING GC6/1/2 Pt1

Cr Youngblutt left the meeting.

### 15. Crown Land Licence - Les Burger Field Skate Facility

#### Les Burger Field

266

Cr Boyd

Cr Davidson

**RESOLVED** that Council accepts the licence by letter over part of Lot 518 DP 729387 for construction, use and maintenance of a skate facility to be executed under the Common Seal of Council.

## Voting - Unanimous

# Minutes - Meeting of Tweed Shire Council

## 16. Naming of Area Fronting Murwillumbah Civic and Cultural Centre "Remembrance Place"

Parks - Naming

267

Cr Luff

Cr Boyd

**RESOLVED** that Council names the grassed area fronting the Murwillumbah Civic Centre "*Remembrance Place*" and erects suitable signage and liaises with the Returned and Services League of Australia Murwillumbah Sub-Branch regarding a suitable function for naming the Place.

**Voting - Unanimous**

## 17. Dog Off Leash Exercise Areas

Companion Animals

268

Cr Beck

Cr Marshall

**RESOLVED** that the existing dog off leash areas on beaches not be altered.

**Voting - Unanimous**

## RETURN TO MEETING

Cr Youngblutt returned to the meeting.

## REPORTS FROM SUB-COMMITTEES

### 1. Minutes of the Tweed River Management Planning and Advisory Committee Meeting held Wednesday 8 August 2001

File Ref: River Management

### 4. Change of Name for TRMPAC

Estuary Management

269

Cr Marshall

Cr Youngblutt

**RESOLVED** that Council ratifies the resolution of the Committee that the name of the *Tweed River Management and Planning Advisory Committee* be changed to the *Tweed River Committee*.

**Voting - Unanimous**

270

Cr Marshall

Cr Youngblutt

**RESOLVED** that the balance of the Minutes of the Tweed River Management Planning and Advisory Committee Meeting be adopted.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

2. **Minutes of the Tweed Dune Care Advisory Committee Meeting held Thursday 13 September 2001**

**Dunecare**

3. **Aspect North - Casuarina**

**Casuarina, Dune Care**

271

**Cr Marshall**

**Cr Beck**

**RESOLVED** that a copy of the letter, attached to these Minutes to all landowners of Casuarina Beach on Council letterhead under the signature of the Chairperson, be forwarded to the Casuarina Dune Care Committee for consideration at their next meeting to be held on 15 October 2001.

## **AMENDMENT**

**Cr Luff**

**Cr Boyd**

**PROPOSED** that Council endorses the forwarding of the letter attached to these minutes to all landowners of Casuarina Beach on Council letterhead under the signature of the Chairperson, Tweed Dune Care Advisory Committee with the following amendment:

Addition after words "salt spray"

, "*dune stability is critically important to slowing coastal erosion*"

The Amendment was **Lost**

### **Voting For**

Cr Boyd  
Cr Luff  
Cr Carroll

### **Voting Against**

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

The Motion was **Carried**

# Minutes - Meeting of Tweed Shire Council

## Voting For

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

## Voting Against

Cr Boyd  
Cr Carroll

272

Cr Luff

Cr Marshall

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

**Voting – Unanimous**

## TEMPORARY ABSENCE FROM MEETING

Cr Youngblutt left the meeting.

3. **Minutes of the Special Tweed River Committee Meeting held Wednesday 12 September 2001**

**File Ref: River Management**

3. **Assessment of the "Tweed River Estuary Management Plan Review" - Total Catchment Management**

**Tweed River Management Plan**

273

Cr Marshall

Cr Luff

**RESOLVED** that adoption be deferred and a workshop be held with Council at the first available opportunity to ensure that Councillors are aware of the new issues, particularly funding and the ramifications of any change of direction.

**Voting - Unanimous**

4. **Assessment of the "Tweed River Estuary Management Plan Review" - Additional External Funding**

**Tweed River Management Plan**

274

Cr Marshall

Cr Luff

**RESOLVED** that adoption be deferred and a workshop be held with Council at the first available opportunity to ensure that Councillors are aware of the new issues, particularly funding and the ramifications of any change of direction.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

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275

Cr Marshall

Cr Luff

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

**Voting - Unanimous**

4. **Minutes of the Local Traffic Committee Meeting held Friday 21 September 2001**  
**Traffic Committee**

Cr Beck

Cr Youngblutt

**PROPOSED** that consideration of recommendations from the Local Traffic Committee Meeting be deferred until receipt of advice of quorum.

**Voting For**

Cr Beck  
Cr Brinsmead  
Cr Lawrie  
Cr Marshall

**Voting Against**

Cr Polglase  
Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr Luff

19. **Marine Parade and Pearl Street Kingscliff**

**DA3340/325 Pt3 DW626001**

276

Cr Boyd

Cr Luff

**RESOLVED** in that the Committee supports the installation of a “works” zone on Pearl Street along the frontage to the development site.

**Voting - Unanimous**

1. **High School Lane, Murwillumbah**  
**High School Lane, Car Parks – Murwillumbah, 4750.955 DW622164**

277

Cr Boyd

Cr Luff

**RESOLVED** that “No Parking” signs be erected in High School Lane, Murwillumbah.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## 2. Pacific Highway, Murwillumbah

R4031 Pt13

278

Cr Boyd

Cr Luff

**RESOLVED** that Council formally writes to the Police Department asking for enforcement of signage.

**Voting - Unanimous**

## 3. Shamrock Avenue, Banora Point

R5011 Pt1

279

Cr Boyd

Cr Luff

**RESOLVED** that the parking of vehicles on the footpath near 7 Shamrock Avenue, Banora Point be referred to the Police Department for enforcement.

**Voting - Unanimous**

## 6. Old Bogangar Road, Cudgen

R3840 Pt6

280

Cr Boyd

Cr Luff

**RESOLVED** that:-

1. A 14.5 load limit warning sign be erected on the Chinderah southbound offramp advising a 14.5 load limit applies south of Pottsville.
2. A 14.5 tonne load limit sign be installed south of Pottsville on the Coast Road.

**Voting - Unanimous**

## 7. Pacific Highway (East), Tweed Heads South

DW624153 DA4030/2822 Pt13, R3454

281

Cr Boyd

Cr Luff

**RESOLVED** that a revised traffic report be requested from the applicant incorporating the proposed amendment.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## 8. Nullum Street & Proudfoots Lane, Murwillumbah

R3770 Pt2, R4455, DW626413

282

Cr Boyd

Cr Luff

**RESOLVED** that a "No Parking – Buses Excepted" sign be erected on the corner of Nullum Street with Proudfoots Lane, Murwillumbah.

**Voting - Unanimous**

## 9. Nullum and Wollumbin Streets, Murwillumbah

R5940 Pt2 DW626413

283

Cr Boyd

Cr Luff

**RESOLVED** that the applicant be advised that:-

1. A pedestrian crossing was not supported close to the corner of Nullum and Wollumbin Streets as it would not meet pedestrian warrants.
2. Improved signage should be erected to indicate available parking underneath the building for use by the public/clients.
3. Staff should be requested to park in the public car park in Knox Park to increase public parking under the building.
4. A roundabout at the intersection of Nullum and Wollumbin Streets was not supported.

**Voting - Unanimous**

## 10. Ash Drive, Banora Point

R0227

284

Cr Boyd

Cr Luff

**RESOLVED** that a "Give Way" sign be installed for traffic travelling east on Ash Drive, Banora Point.

**Voting - Unanimous**

## 11. Heffron Street, Tweed Heads South

R2430 Pt2

285

Cr Boyd

Cr Luff

**RESOLVED** that:-

1. The "No Stopping" sign adjacent to the HAC Centre driveway be extended to 10m west.



# Minutes - Meeting of Tweed Shire Council

2. The bus zone signage cover the area 10m from the HAC Centre driveway to the school driveway adjacent to the tennis courts, approximately 100m.
3. Five (5) minute parent parking be installed west of the school driveway for 70m to the "No Stopping" sign east of the pedestrian refuge.
4. A pedestrian fence be erected to limit the bus pick up area to one location.

**Voting - Unanimous**

## 12. Overall Drive, Pottsville

**R3975**

286

Cr Boyd

Cr Luff

**RESOLVED** that the bus shelter be moved to the opposite side of Overall Drive adjacent to the shopping centre where the current bus stop is located.

**Voting - Unanimous**

## 13. Smiths Creek / Kyogle Road, Uki

**R2970 Pt9, R5100 Pt2 DW622163**

287

Cr Boyd

Cr Luff

**RESOLVED** that:-

1. The tree be removed at the Smiths Creek Road/Kyogle Road intersection to improve sight distance.
2. The directional signage be improved at the intersection of Smiths Creek Road and Kyogle Road.

**Voting - Unanimous**

## 14. Dry Dock Road, Tweed Heads South

**R1680 Pt2**

288

Cr Boyd

Cr Luff

**RESOLVED** that the applicant be advised that the RTA Representative has advised that noise barriers are not retro-fitted and that noise attenuation was done according to the noise standards at the time of installation.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## 15. Wollumbin Street, Murwillumbah

R5940 Pt2

289

Cr Boyd

Cr Luff

**RESOLVED** that the applicant be advised that the problem is acknowledged but it is not possible to apply parking restrictions at driveways due to the effect it would have on reducing available parking in commercial areas.

**Voting - Unanimous**

290

Cr Boyd

Cr Luff

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

**Voting – Unanimous**

## RETURN TO MEETING

Cr Youngblutt returned to the meeting.

## OUTSTANDING INSPECTIONS

Nil

## ORDERS OF THE DAY

1. **Southern Cross University Centre, Murwillumbah**  
**Education Matters-Southern Cross Uni, Notice of Motion**

291

Cr Boyd

Cr Carroll

**RESOLVED** that Council:-

1. Clarifies as to whether the Southern Cross University intends to close the University Centre in Murwillumbah on 1 December 2001 and if this is correct, that Council takes all reasonable steps to have it remain open until such time as a suitable alternative can be provided.
2. Strongly urges Southern Cross University and TAFE to take all action necessary to allow continued access for people in the Murwillumbah area to the University's courses, particularly in regard to those people already enrolled in courses.

# Minutes - Meeting of Tweed Shire Council

## Voting For

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

## Voting Against

Cr Beck

### 2. Railway Line Between Murwillumbah and Byron Bay

#### Railways-General, Notice of Motion

292

Cr Boyd

Cr Davidson

**RESOLVED** that Council enlists the active support of the Member for Tweed to arrange a high level meeting with the Minister for Transport to ascertain the long term plans for the railway line between Murwillumbah and Byron Bay.

**Voting - Unanimous**

### 3. Centenary of the Establishment of Local Government in Murwillumbah on 27 May 1902

#### Council Management, Notice of Motion

293

Cr Boyd

Cr Carroll

**RESOLVED** that Council makes contact with Murwillumbah based organisations such as the Chamber of Commerce, Rotary, Lions, Quota, VIEW, Red Cross, RSL etc with a view to establishing what interest, if any, there is in celebrating the centenary of the establishment of Local Government in Murwillumbah on 27 May 1902.

## Voting For

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

## Voting Against

Cr Beck  
Cr Brinsmead  
Cr Lawrie  
Cr Marshall

# Minutes - Meeting of Tweed Shire Council

## 4. Public Services, Tweed Coast

### Ambulance Service-General, Fire Services, Police, Council Management, Notice of Motion

294

Cr Boyd

Cr Davidson

**RESOLVED** that:-

A. Council seeks the support of the local State Member to initiate discussions with the relevant authorities that are responsible for the provision of the following public utilities:-

1. Police Station
2. Fire Station
3. Ambulance
4. Hospital

in order to ensure those services are provided for the growing population on the Tweed Coast, at the earliest opportunity.

B. Council undertakes a forward planning exercise to ascertain how soon and where it should establish a Council branch office to service the residents of the Tweed Coast.

**Voting - Unanimous**

## 5. Plaques – Historic Locations

### Memorials Heritage Matters, Notice of Motion

295

Cr Boyd

Cr Carroll

**RESOLVED** that Council:-

1. Considers the possible production of suitable plaques bearing appropriate wording and or etchings for placement in key locations in Murwillumbah to mark the former sites of such things as the old Power Station, the Public Wharves, the Ferry access points, the War Memorial Baths, the first bridge, the first Butter Factory, the fire which destroyed our town in 1907, the old School of Arts and any other significant structures not mentioned.
2. Pursues alternative funding opportunities.
3. Advises the Main Streets Co-ordinator and the Chamber of Commerce of this resolution.

**Voting - Unanimous**

# Minutes - Meeting of Tweed Shire Council

## 7. "The Rainforest Way"

**Tourism-General, Notice of Motion**

296

Cr Boyd

Cr Luff

**RESOLVED** that Council invites Mr Rod Caldicott, Tourism Officer, Richmond Valley Council to address Council on "The Rainforest Way" at a date when adequate time can be allowed for this presentation.

Note: The Rainforest Way is a very important tourism initiative which has widespread support from tourism, local government and other agencies on both sides of the border. Mr Caldicott made a presentation to a joint meeting of a number of organisations at the Twin Towns Resort on 21 September 2001.

**Voting – Unanimous**

## 6. Upgrade of Numinbah Road

**R3780 Pt3 Numinbah Road, Notice of Motion**

297

Cr Boyd

Cr Luff

**RESOLVED** that Council seeks a meeting with the local Queensland State Member for the Numinbah area, together with the Ward Councillors with a view to obtaining their support in seeking to have funding for the section of road between the State border and Numinbah village, brought forward from 2004-2005 to 2002-2003.

### **Voting For**

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

### **Voting Against**

Cr Beck  
Cr Lawrie

## **SUSPENSION OF STANDING ORDERS**

298

Cr Boyd

Cr Luff

**RESOLVED** that standing orders be suspended to allow an address from Council's legal representative, Mr Tony Smith regarding Confidential Item 5 of the Agenda.

# Minutes - Meeting of Tweed Shire Council

## Voting For

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

## Voting Against

Cr Beck

## COMMITTEE OF THE WHOLE

299

Cr Boyd

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:-

## REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

### REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

#### 5. Casuarina Beach - Notification to Purchasers

DA1180/382 Pt14

*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*

## ADJOURNMENT OF MEETING

Adjournment for dinner at 6.40pm.

## RESUMPTION OF MEETING

The Meeting resumed at 7.40pm.

# Minutes - Meeting of Tweed Shire Council

C73

That in relation to enquiries regarding contamination of all residential lots created at this date at the development known as Casuarina Beach, Council advises that after substantial scientific testing, Council considers that it is unlikely that these residential allotments are contaminated.

The Motion was **Carried**

**Voting For**

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

**Voting Against**

Cr Boyd  
Cr Carroll  
Cr Luff

The Mayor being the Chairperson continued to deal with the Items in the Confidential Agenda.

## REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

1. **Building Works Without Prior Council Approval at Lot 2 DP 839857 No 18 Gray Street, Tumbulgum**

**DA2301/165 Pt1**

*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*

The Motion was **Lost**

**Voting For**

Cr Boyd  
Cr Carroll  
Cr Luff

**Voting Against**

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

# Minutes - Meeting of Tweed Shire Council

## 2. Recovery - Penalty Infringement Notice Amount

**Dog - Fines**

*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*

**C75**

That Council advises Mr P Cairns that, as the Court has found the matter proven, the costs must be paid and if not, will be pursued.

**Voting For**

**Voting Against**

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

Cr Marshall

## 3. Erection of Structure Without Council Prior Approval – Rigid Annexe

**PF4030/4080 Pt2**

*Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)  
(b) the personal hardship of any resident or ratepayer*

**C76**

That Council permits Mr McCombe to seek approval for the rigid annexe and be required to comply with the following:-

1. Make formal application to place the structures.
2. Satisfy certain basic requirements in relation to structural adequacy.
3. Comply with other requirements in the Regulations such as maximum site occupancy.
4. The bus shall be maintained in an operating order.
5. The bus shall be able to be disconnected from the rigid annexe in not more than one hour, and be able to be driven from the site where flood conditions are pending.
6. The bus and structures are not permitted to be sold to another person and shall be removed when the current occupants vacate the site. A condition to this effect shall be included in the caravan park’s approval to operate under the Act.

**Voting - Unanimous**



# Minutes - Meeting of Tweed Shire Council

## 4. Erection of Structures Without Council Prior Approval - Annexe

PF4030/4080 Pt2

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

*(b) the personal hardship of any resident or ratepayer*

C77

That:-

1. Council permits Mr Pfutzenreuter to seek approval for the structures and be required to comply with the following:
  - a. Make formal application to place the structures.
  - b. Ensure the UMD is not enclosed across the front.
  - c. Satisfy Certain basic requirements in relation to structural adequacy.
  - d. Comply with other requirements of the Regulations such as maximum site occupancy percentages.
  - e. The UMD shall be maintained in a towable state and all running gear maintained in good working order.
  - f. The UMD shall be able to be disconnected from the rigid annexe in not more than 1 hour, and be able to be towed from the site in flood conditions.
  - g. The UMD and structures are not permitted to be sold to another person and shall be removed when the current occupants vacate the site. A condition to this effect is to be included in the caravan park's approval to operate under the Act
2. A letter be forwarded to the Department of Urban Affairs and Planning requesting that the relevant legislation be reviewed and amended to facilitate prosecution of caravan park owners/operators who permit the erection of structures on their land without relevant approvals having been obtained.

**Voting - Unanimous**

**300**

**Cr Boyd**

**Cr Marshall**

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

**Voting - Unanimous**

## RESUMPTION OF STANDING ORDERS

**301**

**Cr Boyd**

**Cr Luff**

**RESOLVED** that Standing Orders be resumed.

# Minutes - Meeting of Tweed Shire Council

## Voting - Unanimous

### TEMPORARY ABSENCE FROM MEETING

Cr Lawrie left the meeting.

#### 8. Access Road into the Border Ranges National Park Roads-Works Conservation, Government Grants-Roads, Notice of Motion

302

Cr Boyd

Cr Marshall

**RESOLVED** that Council seeks the support of the Member for Richmond in an endeavour to obtain the necessary funding from the Commonwealth with which to seal the access road into the Border Ranges National Park.

#### Voting For

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

#### Voting Against

Cr Beck

### RETURN TO MEETING

Cr Lawrie returned to the meeting.

### TEMPORARY ABSENCE FROM MEETING

Cr Youngblutt left the meeting.

#### 9. Planting & Maintenance of Littoral Rainforest - Former border Caravan Park and Other Locations

Trees-Planting, Border Caravan Park, Notice of Motion

303

Cr Boyd

Cr Luff

**RESOLVED** that Council officers bring forward a report that considers the planting and maintenance of a stand of littoral rainforest along the Boundary Street side of the former Border Caravan Park and other selected locations within this unused open space, the work to be undertaken with the support of one or more of the following agencies – Tweed Landcare Inc, Greencorps, Green Reserve or Work for the Dole.

# Minutes - Meeting of Tweed Shire Council

## Voting For

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

## Voting Against

Cr Beck

## RETURN TO MEETING

Cr Youngblutt returned to the meeting.

### 10. Attendance of Conferences and Seminars

#### Conference/Seminars-General, Notice of Motion

Cr Marshall

Cr Beck

**PROPOSED** that the General Manager be requested to ensure that all Conferences and Seminars that the General Manager and Directors wish to attend be reported to Council.

## AMENDMENT

304

Cr Davidson

Cr Carroll

**RESOLVED** that the General Manager be requested to ensure that all Conferences and Seminars that the General Manager and Directors attend be advised, where possible in advance to Council via the Mayoral Minute.

The Amendment was **Carried**

## Voting For

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

## Voting Against

Cr Beck  
Cr Brinsmead  
Cr Lawrie  
Cr Marshall

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

# Minutes - Meeting of Tweed Shire Council

## Voting For

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

## Voting Against

Cr Lawrie

### 11. Access to Council Staff and/or Council Records

#### Council Management, Records Management, Notice of Motion

305

Cr Davidson

Cr Youngblutt

**RESOLVED** that:-

1. Councillors seeking information from staff or Council records are to make requests through the appropriate Director or Manager.
2. Councillors are to establish an agreed timeframe with the Director or Manager for the provision of, or access to the information.

**Voting - Unanimous**

## WORKSHOPS PREVIEW

The Director Community Services advised that the date for the launch of the Micro Film Reader Printer on Wednesday, 31 October 2001 was selected as this date coincides with the 100th Anniversary of the production of the Daily News. Council indicated general agreement for this date.

## QUESTION TIME

### Distribution of Annual Report

#### Annual Report

Cr Beck

Enquired whether Councillors have been given a copy of the Tweed Shire Council Annual Report that is given to the Minister.

The Acting General Manager advised that the Annual Report will be finalised in November whereupon copies would be made available to Councillors.

### Traffic Counts, Kyogle Road

**R2970 Pt9**

Cr Boyd

Asked could Council be advised of the latest traffic counts for the Kyogle Road.

# Minutes - Meeting of Tweed Shire Council

The Acting General Manager responded that results would be advised to Council at the earliest opportunity.

## National Competition Policy

## Competition Policy

### Cr Luff

Enquired to what extent is Council required to comply with the National Competition Policy in regard to its decisions on section 94 contributions and other decisions which may have the effect of allowing subsidies for some individuals or groups.

For instance, do the resolutions below contravene any State or Federal statute or direction:-

- “eligible businesses” not required to pay s.94 contributions
- “dual occupancies” <50 m<sup>2</sup> or < 1/3 floor space of existing dwelling not required to pay s.94 or s.64 contributions.

The Acting General Manager responded that Section 94 charges are made under the Environmental Planning and Assessment Act. Section 64 charges are made under the Local Government Act. There is no specific requirement or nexus with National Competition Policy. There is an obligation, however, in both circumstances to ensure equity in charging as a defence against third party challenges.

There being no further business the Meeting terminated at 9.40pm.



## 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 69 of these Minutes**

\_\_\_\_\_  
**Chairman**