

Minutes - Meeting of Tweed Shire Council

IN ATTENDANCE

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

Also present were Mr Ian Carpenter (Acting General Manager), Mr Mike Rayner (Director Engineering Services), Mr David Broyd (Director Development Services), Mr Don Buckley (Director Environment & Community Services), Mr Brian Donaghy (Manager Administration Services/Public Officer) and Ms Janine Boyd (Minutes Secretary).

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

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

The LORD rewards every man for his righteousness and faithfulness.

(I Samuel 26:23)

O Lord our God, we acknowledge the responsibilities which belong to us as elected Councillors and look to you to lead and guide as we meet today.

Give us grace and wisdom as we consider the matters before us. Free us from all that would hinder us in making the right decisions. Help us to see clearly the issues before us and to make those decisions which will enable our Shire to come to its full potential.

Loving Father, grant us grace to treat each other with respect that together we will do those things which will enrich the lives of the people of the Shire. We pray for each other and especially for our Mayor, Warren. Let Your hand be upon him, O God, as he gives leadership within our Shire.

Fill this place with Your Spirit and let Your blessing be upon us. Grant us the peace of Your presence, for we ask it in the Name of Jesus Christ our Lord. ...Amen.

CONFIRMATION OF MINUTES

975

Cr Boyd

Cr Marshall

RESOLVED that the Minutes of the Ordinary Meeting held 1 May 2002 be confirmed as an accurate record of the proceedings of that Meeting.

ATTENDANCE AT MEETING

Cr Luff attended the meeting at 3.20pm.

Voting - Unanimous

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976

Cr Boyd

Cr Marshall

RESOLVED that the Minutes of the Extraordinary Meeting held 24 April 2002 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

ABSENT

Councillors G Davidson (Deputy Mayor), L F Beck.

Councillor Cr Davidson has informed the General Manager that his absence is caused by illness.

Councillor Cr Beck was granted Leave of Absence by Council at its Meeting on 3 April 2002 Minute No C207.

977

Cr Marshall

Cr Luff

RESOLVED that the apology of Cr Davidson be accepted.

Voting - Unanimous

DISCLOSURE OF INTEREST

Cr Boyd

Declared an interest in Item No 3. The nature of the interest is that Councillor Boyd resides in the vicinity of the subject property.

ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil

SCHEDULE OF OUTSTANDING RESOLUTIONS

978

Cr Boyd

Cr Carroll

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

1. Black Douglas Singles Final

This item was received and noted.

Councillors' Invitation

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2. Citizenship Ceremony

Citizenship

This item was received and noted.

3. Mayoral Ball

Charities

This item was received and noted.

4. Art Gallery

Art Gallery – General; Doug Moran Art Prize

This item was received and noted.

5. SES Kingscliff

State Emergency Services

This item was received and noted.

6. Local Government Managers Australia (LGMA)

Councillors - Conferences

This item was received and noted.

Adoption of Mayoral Minute

979

Cr Polglase

RESOLVED that the Mayoral Minute as presented be adopted.

Voting - Unanimous

ITEMS DEFERRED

1. Roadside Stalls

Notice of Motion; Roadside Stalls; LEP; DW667457

980

Cr Luff

Cr James

RESOLVED that this matter be further deferred.

Voting - Unanimous

REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

**1. Draft Library Strategy Plan and Review and Amendment of Section 94
Contribution Plan No 11 - Library Facilities**

GT1/S94/11 Pt1

981

Cr Boyd

Cr Luff

RESOLVED that Council:

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1. Approves the amended Section 94 Plan No 11 as advertised;
2. Gives public notice of its decision in accordance with the Environmental Planning and Assessment Regulations 2000, in the Tweed Link, specifying that the amended Contribution Plan comes into effect on the date of the notice;
3. Adopts the Library Strategy Plan as exhibited.

Voting - Unanimous

2. Crime Prevention Plan

Crime Prevention

982

Cr Boyd

Cr Lawrie

RESOLVED that Council:

1. Advertises its intention to prepare a Crime Prevention Plan in a local newspaper;
2. Advertises for nominations for an Advisory Committee to provide advice on the process to be followed to prepare the Crime Prevention Plan;
3. Delegates to the General Manager the finalisation of the Committee Membership;
4. Endorses the terms of reference for the Advisory Committee;
5. Nominates Councillor Luff to be a Member of the Advisory Committee.

Voting - Unanimous

DECLARATION OF INTEREST

Cr Boyd

Declared an interest in Item No 3, left the Chamber and took no part in the discussion and voting.

The nature of the interest is that Councillor Boyd resides in the vicinity of the subject property.

3. **Development Application 1226/2001DA.02 for an Amendment to Development Consent 1226/2001DA for the Erection of a Dwelling House to be Used for Bed and Breakfast Accommodation at Lot 19 DP 1006946, No. 12 Wedgetail Court, Dulguigan**

DA5862/32 Pt1

983

Cr Youngblutt

Cr Lawrie

RESOLVED that application 1226/2001DA.02 for an amendment to Development Consent 1226/2001DA for the erection of a dwelling house to be used for bed and breakfast accommodation at Lot 19 DP 106946, No. 12 Wedgetail Court, Dulguigan be approved by the deletion of Condition No. 1.

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Voting For

Cr Polglase
Cr Brinsmead
C Carroll
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

Cr James
Cr Luff

984

Cr Youngblutt

Cr Lawrie

RESOLVED that the application processing fee of \$355 be refunded.

Voting For

Cr Polglase
Cr Brinsmead
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

Cr Carroll
Cr James
Cr Luff

- 4. Development Application 0028/2002S96 for Amendment to Development Consent 0661/2001DA for a Three (3) Lot Industrial Subdivision at Lot 3 DP 717401, Lot 12 DP 1000868, No. 22 Lundberg Drive, Murwillumbah**

DA3120/100 Pt1

985

Cr Lawrie

Cr Marshall

RESOLVED that Development Application 0028/2002S96 for an amendment of development consent 0661/2001da for a three (3) lot industrial subdivision at Lot 3 DP 717401, Lot 12 DP 1000868, No. 22 Lundberg Drive Murwillumbah, be determined as follows:

- A. Conditions 1, 2, 16, 28, 36, 37 and 38 be reaffirmed.

Voting - Unanimous

- 5. Coastal Council Workshop**

Coastal Management

986

Cr Luff

Cr Marshall

RESOLVED that any Councillor interested in attending the Workshop informs the Director of Development Services.

Voting - Unanimous

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REPORTS FROM DIRECTOR CORPORATE SERVICES

6. Nominations to Host 2004 Annual Conference - NSW Local Government Aboriginal Network

DW667311; Aboriginal Matters

987

Cr Marshall

Cr Luff

RESOLVED that Council lodges a nomination to host the NSW Local Government Aboriginal Network 2004 Annual Conference.

TEMPORARY ABSENCE FROM MEETING

Cr Youngblutt left the meeting.

Voting - Unanimous

7. Request for Assistance with Legal Costs - Telecommunications DW669717; Office Equipment - Telephones; Leases - Special; Legal Costs

988

Cr James

Cr Boyd

RESOLVED that Council contributes \$5,724 to assist with legal costs.

Voting - Unanimous

8. Councillor Professional Development

Councillor-Conferences

989

Cr Boyd

Cr Lawrie

RESOLVED that:-

1. Any Councillors be authorised to attend the Local Government & Shires Associations Councillor Weekend and
2. The Mayor's Secretary to arrange registration of any interested Councillor/s.

Voting - Unanimous

RETURN TO MEETING

Cr Youngblutt returned to the meeting.

9. Australian Regional Tourism Conference 19-21 September 2002

Councillor-Conferences

990

Cr Marshall

Cr Youngblutt

RESOLVED that:

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1. Any Councillor/s be authorised to attend the Australian Regional Tourism Conference in Longreach, Queensland from 19 to 21 September 2002.
2. The Mayor's Secretary to arrange registration of any interested Councillor/s.

Voting - Unanimous

10. Northern Rivers Tourism Inc.

DW662132; Donations; Tourism - General

991

Cr Boyd

Cr Luff

RESOLVED that Council refers this matter to TACTIC with a recommendation that TACTIC applies for membership of Northern Rivers Tourism Inc to represent the Shire.

Voting - Unanimous

11. Sustainable Regions Program

Sustainable Regions Program

992

Cr Boyd

Cr Marshall

RESOLVED that the funding contract between the Commonwealth of Australia, represented by the Department of Transport and Regional Services and the Tweed Shire Council, be endorsed and executed under the Common Seal of Council.

Voting - Unanimous

12. Regional Co-ordination and Development Forum and the National General Assembly of Local Government 3-6 November 2002

Councillors - Conferences

993

Cr Boyd

Cr Marshall

RESOLVED that:

1. Council nominates the Mayor and any interested Councillor(s) to attend the Regional Co-operation and Development Forum and the National General Assembly of Local Government from 3 to 6 November 2002.
2. The Mayor's Secretary registers their attendance.
3. Council determines any motions to be submitted by the General Manager for debate at the General Assembly.

Voting - Unanimous

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13. GST and Developer Contributions - New Amendments to the GST Act

Taxation - GST

994

Cr Boyd

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

14. Monthly Investment Report for Period Ending 30 April 2002

Monthly Investment Report

995

Cr Marshall

Cr Boyd

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM DIRECTOR ENGINEERING SERVICES

15. Tweed District Water Supply - Criticality and Risk Assessment of Key Facilities Water-Pumping Stations-General, Water-Pumping Stations-Operations and Maint

996

Cr Boyd

Cr Brinsmead

RESOLVED that Council endorses the implementation of the recommendations of the Criticality and Risk Assessment report including the proposals for the upgrade of Filtered Water Pumping Station No. 2.

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

16. Naming of Park - The Oasis, Kirkwood Road

Parks - Naming; GS4/98/31 Pt6

997

Cr Boyd

Cr Luff

RESOLVED that Council names the park (lot 109) Falcon Way, The Oasis, Harold Pearce Park and erects appropriate signage.

Voting - Unanimous

17. Alternative Waste Disposal Technology

Waste Minimisation

998

Cr Boyd

Cr Luff

RESOLVED that:-

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1. The Officers Working Group Report (Attachment 1) be received and noted.
2. Council:-
 - a. Enters into negotiations with Gold Coast City Council to further participate in Stage 2 of this project ultimately leading to a formal tender process and assessment of the tender submissions.
 - b. Completes all necessary documentation under the Common Seal of Council.
 - c. Votes the sum of \$70,000 to the second stage of this project from Waste Management Reserves.

Voting - Unanimous

18. Establishment of Alcohol Free Zones - Murwillumbah CBD

Alcohol Free Zones

999

Cr Boyd

Cr Luff

RESOLVED that Council undertakes public consultation in accordance with the provisions of Section 644 and 644A of the Local Government Act 1993 on the proposed establishment of an alcohol free zone on the requested public roads, footpaths and car parks in Murwillumbah town area for a 3 year period.

Voting - Unanimous

19. Establishment of Alcohol Free Zone - Budd Park

Budd Park, Alcohol Free Zones

1000

Cr Boyd

Cr Marshall

RESOLVED that Council declares the Budd Park Car Park in Murwillumbah a 24 hour alcohol free zone for a period of 3 years in accordance with the provisions of Section 644B of the Local Government Act 1993.

Voting - Unanimous

20. Regional Arts Australia National Conference

Conferences-General

1001

Cr Boyd

Cr Marshall

RESOLVED that Council authorises those Councillors nominating to attend should contact Jan Green, Mayor's Secretary for full program details and registration forms.

Cr Carroll was nominated to attend.

Voting - Unanimous

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21. Entomological Control Report for Period February to April 2002

Noxious Pests

1002

Cr Marshall

Cr Boyd

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM SUB-COMMITTEES

1. Minutes of the Vegetation Management Plan Steering Committee Meeting held Tuesday 23 April 2002

Vegetation Management Plan

1. Advice from State Agencies and Committee Response - RVMP or no RVMP?

Vegetation Management Plan

1003

Cr Boyd

Cr Marshall

RESOLVED that Council:

1. Advises the DLWC that at this stage Council does not wish to proceed with preparation of a draft Regional Vegetation Management Plan;
2. Finalises the Tweed Vegetation Management Strategy and prepares a draft Tweed Local Environmental Plan (vegetation management) that is integrated with the Native Vegetation Conservation Act (short term);
3. Advises the DLWC that Council wishes to retain the opportunity to have either a fully integrated LEP for Tweed Shire (Schedule 2 of the NVC Act) or an integrated Tweed LEP and RVMP as potential long term options.

Voting - Unanimous

1004

Cr Boyd

Cr Marshall

RESOLVED that the balance of the Minutes of the Vegetation Management Plan Steering Committee Meeting be adopted.

Voting - Unanimous

OUTSTANDING INSPECTIONS

Nil

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DELEGATE'S REPORTS

1. **Impacts 2002 – First Joint NZPI/RAPI Conference, Wellington April 2002 – Report by Councillor Wendy Marshall**

Councillors - Conferences

1005

Cr Boyd

Cr Carroll

RESOLVED that this report be received and noted.

Voting - Unanimous

ORDERS OF THE DAY

1. **Development Application 0758/2001DA for the Erection of Tourist Accommodation Comprising 4 Units at Lot 6 Section 3 DP 9453, No. 4 Sutherland Street, Kingscliff**

Notice of Rescission; DA5345/280 Pt1; 5345.280; DW670457

This item was withdrawn.

A FURTHER NOTICE OF RESCISSION RELATING TO THE ABOVE ITEM HAS BEEN RECEIVED FROM COUNCILLORS POLGLASE, LAWRIE & BRINSMEAD

2. **Council Meeting Policy**

Notice of Rescission; Council Policies; DAP; Council – Meetings; DW670456

Cr Boyd

Cr Luff

PROPOSED that Council resolution at Minute No 345 in relation to Item 3 Orders of the Day of the Meeting held Wednesday 17 October 2001 being:-

".....that pursuant of the Section 232 of the Local Government Act defining that the role of a Councillor "as a member of the governing body of the Council" is "to direct and control the affairs of Council," "to play a key role in the creation and review of the Council's policies," "to review the performance of the Council and delivery of services," "to provide leadership and guidance to the community,; and "to facilitate communication between the community and the Council" pursuant also with the General Manager's initiatives already undertaken to promote a better flow of information and communication between Councillors and staff: and pursuant of Council's policy to foster a transparent and open process in the planning and development process:

Council clarifies its policy and its attitude in respect to meetings or talks with business persons and developers doing business and proposing to do business with Council, as follows:

1. It is appropriate that the Mayor and/or any other Councillor attend any meeting of the Development Assessment Panel.

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2. It is appropriate that the Mayor and/or any other Councillor should, upon the request of a development applicant (or any other party doing or proposing to do business with Council), meet with such an applicant in talks with relevant Council officers.
3. It is appropriate that the Mayor and/or any other Councillor should, if the need arises, initiate and be present at talks between a development applicant (or any other party doing or proposing to do business with Council) and relevant Council officers.
4. It is appropriate that the Mayor and/or any other Councillor attend talks with any applicant (or any person doing business with Council) and Council officers at the request of Council officers.
5. The Mayor should liaise with the General Manager in all matters involving the Council staff.”

be rescinded.

AMENDMENT

1006

Cr Brinsmead

Cr Youngblutt

RESOLVED that this matter be deferred to the meeting of 5 June 2002.

The Amendment was **Carried**

Voting For

Cr Polglase
Cr Brinsmead
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

Cr Boyd
Cr Carroll
Cr James
Cr Luff

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

Voting For

Cr Polglase
Cr Brinsmead
Cr James
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

Cr Boyd
Cr Carroll
Cr Luff

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3. Wardrop Valley Industrial Land

**Notice of Motion; Land Development - Wardrop Valley; Industrial Development - General;
5810.305; DW671041**

1007

Cr Boyd

Cr Luff

RESOLVED that with the impending development of the Wardrop Valley industrial land that Council approaches the NSW Department of State and Regional Development and sustainable regions to ascertain whether it is in a position to proceed with the development of the Wardrop Valley Foodpark as proposed in its Tweed Valley Country Centres Growth Strategy.

Voting - Unanimous

4. Negotiations for Public Open Space around Lake Kimberley and Related Development Control Plan Amendment and Development Application

Notice of Rescission; DA5937/740 Pt3; Land – Purchase; DW672055

1008

Cr James

Cr Luff

RESOLVED that this matter be deferred to the end of the In Committee business.

Voting - Unanimous

WORKSHOPS PREVIEW

1. Kingscliff Centres Study Workshop

Kingscliff Centres Structure Study; GT1/29/2 Pt2

This item was received and noted.

Extraordinary Meeting to be held 5.30pm to 6.30pm followed by the Workshop at 7.30pm.

QUESTION TIME

Enid Street – Alleged Illegal Activities

Brothels; PF1910/350

Cr Luff

Enquired what is the situation with regard to the alleged illegal activities at 40 Enid Street, Tweed Heads.

The Director Development Services advised he would respond to this matter In Committee later in the meeting.

Enid Street – Alleged Illegal Activities

Brothels; PF1910/350

Cr Boyd

Requested that Councillors be supplied with a report on the alleged illegal brothel in Enid Street and the action taken so far.

The Director Development Services advised he would respond to this matter In Committee later in the meeting.

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Tweed River – Clean Up

Area 5 – Tweed River; Rubbish – Illegal Dumping

Cr Boyd

Enquired what action can be taken to clear up the river bank beside the Pacific Highway between J H Williams Park and Boral.

The Director Engineering Services replied that the question would be taken on notice.

COMMITTEE OF THE WHOLE

1009

Cr Boyd

Cr Luff

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 CORPORATE SERVICES IN COMMITTEE

1. Tweed and Coolangatta Tourism Incorporated

TACTIC

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

(a) personnel matters concerning particular individuals

C235

That Council confirms with the chairperson of Tweed and Coolangatta Tourism Incorporated that Cr Marshall will continue to be a Council representative on the Board.

Voting - Unanimous

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REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

2. EQ2002-39 - Supply and Delivery of Ready Mixed Concrete

Ready Mixed Concrete

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

- (d) *commercial information of a confidential nature that would, if disclosed:*
- (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the council, or*
 - (iii) *reveal a trade secret*

C236

That Contract EC2002-39 for the Supply of Ready Mixed Concrete until the 30 June 2003 be awarded as follows:-

- 1. Areas 1 & 2 be awarded to Hymix concrete
- 2. Areas 3, 4 & 5 be awarded to CSR/Readymix.

Voting - Unanimous

3. Industrial Land Development

5810.305 Land Development - Wardrop Valley

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

- (d) *commercial information of a confidential nature that would, if disclosed:*
- (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the council, or*
 - (iii) *reveal a trade secret*

C237

That:-

- 1. Council enters into a further Contract for Sale for an area of 2.92 hectares within Lot 31 in DP 133404 at the sale price of \$20,000.00, with similar provisions to the initial Contract entered into on 11 January, 2002; and
- 2. All documentation to be executed under the Common Seal of Council.

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

4. Alternate Waste Technology

Waste Minimisation

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

- (d) *commercial information of a confidential nature that would, if disclosed:*
- (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the council, or*
 - (iii) *reveal a trade secret*

C238

That the Officers Working Group Report be received and noted.

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Voting - Unanimous

TEMPORARY ABSENCE FROM MEETING

Cr Marshall left the meeting.

- 3a. Sale of Proposed Lots 1, 3, 5 & 7 and Lease of Proposed Lots 2, 4, 6 & 8 to be Created by Road Closure Plan at Chinderah Bay Road, Chinderah
R1071 Pt2; Chinderah Bay Rd; Road Closure - Cudgen**

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*

C240

That :-

1. Council enters into Contracts for Sale with Rivercotte Pty Ltd and Geographe Pty Ltd at the sale price reflected in valuation dated 8 May, 2002 provided by the State Valuation Office, as noted in the body of the report;
2. Council enters into Lease agreements with Rivercotte Pty Ltd and Geographe Pty Ltd at the rental reflected in the valuation dated 8 May, 2002 provided by the State Valuation Office, as noted in the body of the report; and
3. All necessary documentation be endorsed under the Common Seal of Council.

Voting - Unanimous

RETURN TO MEETING

Cr Marshall returned to the meeting.

- 5. Unauthorised Building - Lot 38 DP 869853 No 4 Environmental Drive, Pottsville -
Owners: Young, Young, Young & Payne
DA1916/15 Pt1; Illegal Building Works**

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*

C241

That Council continues its current legal action against the owners Messrs Young, Young, Young & Payne with the Court to result in the recoupment of all legal costs incurred which currently total \$12,155.57.

Voting - Unanimous

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6. Unauthorised Building Work - Lot 37 DP 869853 No 6 Environmental Drive, Pottsville-Owners: R & B Lowe

DA1916/10 Pt1; Illegal Building Works

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

C242

That Council accepts the offer of \$2,000.00 from Mrs Kane to offset Council's legal costs and to finalise the matter, and if this \$2,000.00 payment is not received within fourteen (14) days of notification, the full debt of \$6,142.72 be pursued through the Court.

Voting - Unanimous

7. Future Management - Murwillumbah Auditorium/Canvas & Kettle Restaurant Civic Centre - Murwillumbah

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

(a) personnel matters concerning particular individuals

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

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

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

C243

That Council:-

1. Notes the proposed action in relation to the expressions of interest.
2. Confirms to Mr Greg Moore that his current lease will expire on 28 May 2002.
3. Conducts the business of hire of the Auditorium and Meeting area of the restaurant with Council staff until the expressions of interest are finalised.

Voting - Unanimous

8. Tweed River Art Gallery Foundation Ltd

Art Gallery – Doug Moran Prize; Art Gallery - General

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

C244

That this report be received and noted.

Voting - Unanimous

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ITEMS DEFERRED FROM ORDINARY MEETING

ORDERS OF THE DAY

4. **Negotiations for Public Open Space around Lake Kimberley and Related Development Control Plan Amendment and Development Application**
Notice of Rescission; DA5937/740 Pt3; Land – Purchase; DW672055

C246

That paragraph 2 of Council resolution at Minute No 553 in relation to Item 13c of the Meeting held Wednesday 19 December 2001 being:-

".....that Council:-

2. Compensates Bradshaw Developments \$22,500, being half the cost of the bridge.”

be rescinded.

The Motion was **Carried**

Voting For

Cr Polglase
Cr Boyd
Cr Carroll
Cr James
Cr Lawrie
Cr Luff
Cr Marshall
Cr Youngblutt

Voting Against

Cr Brinsmead

1010

Cr Boyd

Cr Luff

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

Voting - Unanimous

There being no further business the Meeting terminated at 5.40pm.

☞

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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 19 of these Minutes**

Chairman