

# Minutes - Meeting of Tweed Shire Council

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## IN ATTENDANCE

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

Also present were Dr John Griffin (General Manager), Mr Mike Rayner (Director Engineering Services), Mr David Broyd (Director Development Services), Mr Don Buckley (Director Environment & Community Services), Mr Ian Carpenter (Director Corporate Services), Mr Reg Norvill (Manager Financial & Information Services) and Mrs Meredith Smith and Maree Morgan (Minutes Secretary).

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

***"Be still and know that I am God: I will be exalted among the nations, I will be exalted in the earth."*** (Psalm 46:10)

*Almighty God, Your love extends to all the earth and Your mercy and grace embraces people everywhere. We turn to You in the midst of the uncertainties of our world and seek Your presence, peace and guidance in our lives.*

*We pause to remember those who have lost their lives in the horrendous events of last weekend in Bali – many in the prime of life whose lives have been snuffed out in a senseless act of terrorism. Father God, we remember those who bear the scars of this tragedy. Grant healing and peace to the injured; comfort and sustain those who grieve the loss of family and friends; to those who still wait for new loved ones, give comfort, peace and strength.*

*Lord of all, be with us in our decision making today. Grant us wisdom, grace and insight as we consider the matters before us. By Your Spirit, guide us and enable us to make those decisions which will enrich the life of our Shire. We ask Your blessing for each other; and especially for our Mayor, Warren, as he gives leadership within our Shire.*

*Let Your peace fill this chamber and bring us to the end of the day with a sense of satisfaction and fulfilment in all that we have done; for we ask this in the Name of Jesus Christ our Lord.*

*Amen.*

## ABSENT

Councillors B M Luff, W M Marshall.

Councillor Luff has informed the General Manager that her absence is caused by illness.

Councillor Marshall has informed the General Manager that her absence is caused by illness.

**358**

**Cr Lawrie**

**Cr Youngblutt**

**RESOLVED** to accept the apologies of Councillors Luff and Marshall

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## Voting - Unanimous

### CONFIRMATION OF MINUTES

359

Cr Lawrie

Cr Davidson

**RESOLVED** that the Minutes of the Ordinary Meeting held 2 October 2002 be confirmed as an accurate record of the proceedings of that Meeting.

## Voting - Unanimous

### DISCLOSURE OF INTEREST

Cr Polglase

Declared an interest in Item No 16 of the Ordinary Meeting and Item 3 of the Confidential Meeting.

The nature of the interest is that Cr Polglase has previously had business dealings with the applicant.

Cr Brinsmead

Declared an interest in Item Nos 1 and 2, of the Ordinary Meeting.

The nature of the interest is that Cr Brinsmead's son is a participant in the legal firm representing the applicant.

### ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil.

### SCHEDULE OF OUTSTANDING RESOLUTIONS

360

Cr Lawrie

Cr Davidson

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

## Voting - Unanimous

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## MAYORAL MINUTE

### 1. Tweed CBD Task Force

**Street Scaping Tweed Heads**

361

Cr Brinsmead

Cr Youngblutt

**RESOLVED** that Councillor Beck be the Council representative on this Committee.

#### **Voting For**

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

#### **Voting Against**

Cr Boyd  
Cr Carroll  
Cr James

### 2. ABC Presentation "Behind The News"

**Daylight Saving**

This item was received and noted.

### 3. Body Corporate Services

**Councillors' Invitations**

This item was received and noted.

### 4. Speed on Tweed

**Speed on Tweed**

This item was received and noted.

### 5. Private Citizenship Ceremony

**Citizenship**

This item was received and noted.

### 6. Wommin Bay Hostel

**Councillors' Invitations**

This item was received and noted.

### 7. Science Art Centre

**Councillors' Invitations**

This item was received and noted.

### 8. UDIA's Launch On The Tweed Champagne Breakfast

**Councillors' Invitations**

This item was received and noted.

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**9. Launch Casuarina Mainwaring Precinct**

**Councillors' Invitations**

This item was received and noted.

**10. Work for The Dole Graduation & Celebration**

**Work for the Dole**

This item was received and noted.

**11. Small Business**

**Councillors' Invitations**

This item was received and noted.

**12. Wommin Bay Hostels Ltd**

**Councillors' Invitations**

This item was received and noted.

**13. Coates & Wreckair Hire**

**Councillors' Invitations**

This item was received and noted.

**14. Citizenship Ceremony**

**Citizenship**

This item was received and noted.

**15. NBN Telethon**

**Youth Matters**

This item was received and noted.

**16. ClubsNSW Conference**

**Councillors' Invitations**

This item was received and noted.

**17. Coastal Council**

**Coastal Protection**

This item was received and noted.

**18. Country Energy**

**Electricity**

This item was received and noted.

**Adoption of Mayoral Minute**

**362**

**Cr Polglase**

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

**Voting – Unanimous**

# Minutes - Meeting of Tweed Shire Council

## DECLARATION OF INTEREST

### Cr Brinsmead

Declared an interest in Item Nos 1 and 2, left the Chamber and took no part in the discussion and voting.

The nature of the interest is that Cr Brinsmead's son is a participant in the legal firm representing the applicant.

## REPORTS THROUGH GENERAL MANAGER

### REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

#### 1. National Parks and Wildlife Act 1974, Amended Interim Protection Order, Kings Forest

GT1/LEP/2000/20 Pt5 - LEP - Kings Forest

363

### Cr Beck

### Cr Lawrie

**RESOLVED** that Tweed Shire Councillors object most strenuously to the action of the Minister for the Environment on his actions which will certainly affect the growth and development of this region.

### AMENDMENT

### Cr Boyd

### Cr Carroll

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

The Amendment was **Lost**

#### Voting For

Cr Boyd  
Cr Carroll  
Cr James

#### Voting Against

Cr Polglase  
Cr Beck  
Cr Davidson  
Cr Lawrie  
Cr Youngblutt

The Motion was **Carried**

#### Voting For

Cr Polglase  
Cr Beck  
Cr Davidson  
Cr Lawrie  
Cr Youngblutt

#### Voting Against

Cr Boyd  
Cr Carroll  
Cr James

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### 2. Kings Forest Draft LEP

GT1/LEP/2000/20 Pt5 - LEP - Kings Forest

364

Cr Polglase

Cr Davidson

**RESOLVED** that Council writes to the Minister of the Environment, the Hon. Bob Debus and the Regional Manager for the NSW National Parks and Wildlife Service to express great concern about the lateness of the very significant NPWS recommendations for increased conservation at Kings Forest.

**Voting - Unanimous**

### RETURN TO MEETING

Cr Brinsmead returned to the meeting.

### 3. Proposed Amendment to Tweed Local Environmental Plan 2000 - Lot 156 DP 628026 Creek Street, Hastings Point

PF1431/190 Pt4

Cr James

Cr Boyd

**PROPOSED** that :-

1. Council informs the Director-General of PlanningNSW, pursuant to Section 54 of the Environmental Planning and Assessment Act that it intends to prepare a draft Local Environmental Plan, to rezone parts of Lot 156 DP 628026, Creek Street, Hastings Point identified in Figure 3 from 2(e) Residential Tourist Zone to 7(a) Environmental Protection (Wetland).
2. The Director-General of PlanningNSW be advised that in Council's opinion an Environmental Study pursuant to Section 57 of the Environmental Planning and Assessment Act 1979 will be required.

### AMENDMENT 1

365

Cr Beck

Cr Lawrie

**RESOLVED** that this item be deferred to the meeting of 20 November 2002 and that a full Council inspection of the site be undertaken on Wednesday 23 October 2002 commencing at 5.00pm on site.

### ADJOURNMENT OF MEETING

The Mayor adjourned the meeting for a period of 5 minutes.

### RESUMPTION OF MEETING

The Meeting resumed.

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## PROCEDURAL MOTION

**Cr James**

**Cr Carroll**

**PROPOSED** a motion of dissent in the Chair.

**Voting For**

Cr Boyd  
Cr Carroll  
Cr James

**Voting Against**

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

Amendment 1 at Item 3 was **Carried** and became the **Motion**.

**Voting For**

Cr Beck  
Cr Brinsmead  
Cr Davidson  
Cr Lawrie  
Cr Youngblutt

**Voting Against**

Cr Boyd  
Cr Carroll  
Cr James  
Cr Polglase

## AMENDMENT 2

**Cr Boyd**

**Cr James**

**PROPOSED** that this item be deferred to the Extraordinary meeting of 30 October 2002 and that a full Council inspection of the site be undertaken on Wednesday 23 October 2002 commencing at 5.00pm on site.

Amendment 2 was **Lost**

**Voting For**

Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr James

**Voting Against**

Cr Polglase  
Cr Beck  
Cr Brinsmead  
Cr Lawrie  
Cr Youngblutt

Amendment 1 being the Motion was **Carried**

**Voting For**

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

**Voting Against**

Cr Boyd  
Cr Carroll  
Cr James

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## LATE ITEM

366

Cr Beck

Cr Youngblutt

**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**

**3a. Banora Point High School at Lot 1132 DP 842500 Eucalyptus Drive, Banora Point.  
DA02/1058, 1917.30**

367

Cr Davidson

Cr Youngblutt

**RESOLVED** that Council advise the Department of Public Works and Services that Council seeks agreement for the payment of water and sewer headwork contributions in accordance with Council's Fees and Charges for the development of Banora Point High School.

**Voting - Unanimous**

## REPORTS FROM DIRECTOR CORPORATE SERVICES

**4. Termination of Agreement with McInnes Group for the Preparation of a Local Environmental Study and Draft Local Environmental Plan in Respect of Land at Seaside City**

**GT1/LEP/2000/3 Pt 7, LEP-Seaside City**

This item was withdrawn on the advice of the General Manager.

**5. Quarterly Budget Review - 30 September 2002**

**Budget**

368

Cr Davidson

Cr Lawrie

**RESOLVED** that: -

1. The Quarterly Budget Review Statement as at 30 September 2002 be adopted.
2. The expenditure and income as detailed below as voted and adjusted in accordance with the revised total expenditure and income for the year.

**Voting - Unanimous**

369

Cr Youngblutt

Cr Davidson

**RESOLVED** that \$15,000 be allocated to the Mooball Village Walkway to be constructed from Victory Hotel to the southern boundary of Mooball Village.



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## Voting - Unanimous

### 6. Assignment of Air Space Lease

DA3780/1200 Pt1

370

Cr Boyd

Cr Beck

**RESOLVED** that :-

1. Council approves the assignment of the lease.
2. The Deed of Assignment be signed under the Common Seal of Council.

## Voting - Unanimous

### 7. National General Assembly of Local Government

Councillors, Conferences

371

Cr Boyd

Cr James

**RESOLVED** that Cr Luff be authorised to attend the National General Assembly of Local Government from 3 to 6 November 2002 in Alice Springs.

#### Voting For

Cr Polglase  
Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Youngblutt

#### Voting Against

Cr Beck  
Cr Brinsmead  
Cr Lawrie

### 8. Tweed and Coolangatta Tourism Inc (TACTIC) Monthly Report - July/August 2002

TACTIC

372

Cr Boyd

Cr Youngblutt

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

## Voting - Unanimous

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### 9. Financial Report for Period Ending 30 September 2002

Financial Reporting

373

Cr Youngblutt

Cr Davidson

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

**Voting - Unanimous**

### REPORTS FROM DIRECTOR ENGINEERING SERVICES

#### 10. Subdivision of Lot 30 in DP 240589 for Road Widening at Tumbulgum Adjacent to Pacific Highway (Tweed Valley Way)

R2630, Irving Street

374

Cr Davidson

Cr James

**RESOLVED** that:-

1. Council approves the subdivision of Lot 30 in DP 240589 for road widening;
2. All necessary documentation be endorsed under the Common Seal of Council.

**Voting - Unanimous**

#### 11. Consolidation of Land Comprising Stan Sercombe Oval and Barrie Smith Hockey Fields

Sportsfields - Stan Sercombe Oval

375

Cr Boyd

Cr Beck

**RESOLVED** that:-

1. Council approves the plan of consolidation; and
2. All necessary documentation be endorsed under the common seal of Council.

**Voting - Unanimous**

#### 12. Cultural Designations within Tweed Local Government Area

Geographical Names Board

376

Cr Boyd

Cr Davidson

**RESOLVED** that Council approves:-

1. The re-assignment by the Geographical Names Board of cultural features within the Tweed Local Government Area, as proposed by Tweed Shire Council, and the subsequent gazettal of the re-assignment by the Board.

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2. The designation of some localities within the Tweed Local Government Area as either a town or a village and the subsequent gazettal of these localities as designated.
3. The Council invites Mr Jack Devereux to address Council and to clarify the localities.

**Voting - Unanimous**

### 13. Tweed Road Contribution Plan, Tourist Resort Amendment

**GT1/S94/4 Pt4, Section 94**

377

**Cr Boyd**

**Cr Davidson**

**RESOLVED** 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 4.5) in the form it was publicly exhibited.

**Voting - Unanimous**

## REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

### 14. Tweed Shire Council On-Site Sewage Management Strategy Options Report

**On Site Sewage Management Strategy**

378

**Cr Lawrie**

**Cr Davidson**

**RESOLVED** that Council: -

1. Adopt the draft Tweed Shire Council On-site Sewage Management Strategy, including the recommended options from Sections 9.1, 9.2, 11.17, 13.7, and 15.11:-
  - i) Section 9.1 Funding - that funding be provided by fees and charges based on the services (such as issuing an approval to operate or performing an inspection) provided by Council.
  - ii) Section 9.2 Fees and Charges - that the fees and charges associated with on-site sewage management fee as set out in Section 9.2.
  - iii) Section 11.17 Period of Approvals to Operate - that approvals to operate be issued for the following periods; High Risk 2 years, Medium Risk 4 years and Low Risk 6 years.
  - iv) Section 13.7 Frequency of Inspections - that inspections of systems occur at the following frequency; High Risk once every 2 years, Medium Risk once every 4 years and Low Risk once every 6 years.
  - v) Section 15.11 Compliance in the Cases of Financial Hardship - until sale of a property, significant change in occupancy, or change in financial status occurs and enables sufficient finances to be raised to fully address the required works, only such measures and upgrading that are needed to bring a system to manageable standards are carried out.

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- 2. Undertake to release the Draft Tweed Shire Council On-site Sewage Management Strategy (within recommended options integrated) for public comment in accordance with Section 7.0 of the Strategy.
- 3. Give in-principle approval to the appointment of two full time appropriately qualified staff to implement the Strategy.

**Voting - Unanimous**

## 15. Tweed Shire Council Food Hygiene and Surveillance Program

**Pure Food Act**

379

**Cr Boyd**

**Cr Carroll**

**RESOLVED** that Council endorses: -

- (a) the 60/40 sharing of a full time professional officer between the Tweed Shire Council On-Site Sewage Management Strategy Program and the Tweed Shire Council Food Hygiene and Surveillance Program.
- (b) the funding of the full time professional officer from charges levied within the respective programs.
- (c) an increase to food premises inspection fees as follows, subject to statutory advertising:-

Existing charge	Proposed charge
\$41.00 minimum (per 15 minutes)	\$80.00 for general premises e.g. takeaways, cafes, bakeries
\$77.50 per hour	\$150.00 for large premises e.g. hotels, clubs, small clubs, supermarkets, factories

This endorsement is conditional to Council also resolving to adopt the Draft Tweed Shire Council On-Site Sewage Management Strategy.

**Voting – Unanimous**

## DECLARATION OF INTEREST

**Cr Polglase**

Declared an interest in Item No 16, left the Chamber and took no part in the discussion and voting.

The nature of the interest is that Cr Polglase has previously had business dealings with the applicant.

Councillor Davidson chaired the meeting.

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## 16. Application for Placement of Structures - Homestead Caravan Park - Sites 59, 65 and 112

PF4040/1650 Pt3 - Caravan Parks - Homestead

380

Cr James

Cr Boyd

**RESOLVED** that Council not approves the applications for placement of rigid annexes attached to unregistrable moveable dwellings on sites 59, 65 and 112, Homestead Caravan Park, as the structures do not conform to Council Policy E2.29 which reflects Council's responsibility and liability for management of activities in flood prone caravan parks in accordance with the requirements of the Local Government (Caravan Parks, Camping Grounds & Moveable Dwellings) Regulation 1995 and the Flood Plain Management Manual.

**Voting - Unanimous**

### RETURN TO MEETING

Cr Polglase returned to the meeting and resumed the chair.

## 17. Fifth City of the Arts

Cultural Development-Funding

Cr Beck

Cr Brinsmead

**PROPOSED** that Council investigates the sale or other use of the current art gallery.

### AMENDMENT

381

Cr Boyd

Cr Carroll

**RESOLVED** that Council agrees in Principal that the former gallery building be the designated home for the Fifth City of the Arts two-year program.

The Amendment was **Carried**

#### Voting For

Cr Polglase  
Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie

#### Voting Against

Cr Beck  
Cr Brinsmead  
Cr Youngblutt

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

**Voting For**

Cr Polglase  
Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie

**Voting Against**

Cr Beck  
Cr Brinsmead  
Cr Youngblutt

### 18. Request for Survey in the Tweed Link

DA3488/12 Pt 2 (692745) - New Art Gallery

382

Cr Beck

Cr Youngblutt

**PROPOSED** that this item be deferred to enable the writer of the letter to address Council at Community Access.

#### AMENDMENT

383

Cr Boyd

Cr Carroll

**RESOLVED** that Council advises the writer of the process already taken to allow public input and that he is welcome to further express his views at Community Access.

The Amendment was **Carried**

**Voting For**

Cr Polglase  
Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie

**Voting Against**

Cr Beck  
Cr Brinsmead  
Cr Youngblutt

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

**Voting For**

Cr Polglase  
Cr Boyd  
Cr Carroll  
Cr Davidson  
Cr James  
Cr Lawrie

**Voting Against**

Cr Beck  
Cr Brinsmead  
Cr Youngblutt

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### 19. Workplace Management System (Incorporating Occupational Health and Safety and Environmental Risk Management)

**Workplace Management System**

384

Cr Carroll

Cr Boyd

**RESOLVED** that Council:-

1. Adopts the Occupational Health and Safety (OHS) Policy provided in the report.
2. Adopts the "Workplace Environmental Management Policy" Provided in the report.
3. Endorses the implementation of the Occupational Health and Safety (OHS) Policy and workplace Environmental Management Policy through a Workplace Management System.

**Voting – Unanimous**

### 20. Preposed Release of Genetically Modified Canola by Monsanto

**Pure Food Act**

385

Cr Boyd

Cr Youngblutt

**RESOLVED** that Council:-

1. Seeks the opinion of the Combined Rural Industries Group and advise the writer of Council's action in this regard and seeks an extension of time in which to respond.
2. Through the Tweed Link informs the public of the opportunity to make submissions to the Office of the Gene Technology Regulator and Tweed Shire Council on the proposal to commercially release genetically modified canola.

**Voting – Unanimous**

### TEMPORARY ABSENCE FROM MEETING

Cr Youngblutt left the meeting.

### 21. Proposed Release of Genetically Modified Canola by Bayer

**Pure Food Act**

386

Cr Boyd

Cr Carroll

**RESOLVED** that Council:-

1. Seeks the opinion of the Combined Rural Industries Group and advise the writer of Council's action in this regard and seeks an extension of time in which to respond.

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2. Through the Tweed Link informs the public of the opportunity to make submissions to the Office of the Gene Technology Regulator and Tweed Shire Council on the proposal to commercially release genetically modified canola.

**Voting – Unanimous**

### RETURN TO MEETING

Cr Youngblutt returned to the meeting.

#### 22. Contribution Plan No. 1 - Structural Open Space

**GT1/S94/1 Pt1 - Section 94 Plans, DCP**

387

Cr Beck

Cr Davidson

**RESOLVED** that Council notes the amendment to the works program of Contribution Plan No. 1 area 1 to reallocate \$132,000 from 'access' to 'facilities' and votes the expenditure.

**Voting - Unanimous**

#### 23. Banora Point Caravan Park – 2 Pacific Highway, Banora Point

**4030/2635 Pt 4; - Caravan Parks - Banora Point**

388

Cr Boyd

Cr Lawrie

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

**Voting - Unanimous**

#### 24. Extension of Garbage Service

**Garbage-Collection Contractor, Garbage-General**

389

Cr Boyd

Cr Lawrie

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

**Voting - Unanimous**



# Minutes - Meeting of Tweed Shire Council

## REPORTS FROM COMMITTEES/WORKING GROUPS

1. **Minutes of the Tweed Shire Council Disability Access Committee Meeting held Thursday 19 September 2002**  
**Disability Access Cttee**
4. **Parking at Coolangatta Airport**  
**Access Matters**

390

Cr Boyd

Cr Carroll

**RESOLVED** that Council is aware of the reason for relocation of disability parking at Coolangatta Airport, and sends a letter to Mr Dennis Chant thanking him for organising for a Committee member to view disability access.

**Voting - Unanimous**

391

Cr Boyd

Cr Carroll

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

**Voting - Unanimous**

## OUTSTANDING INSPECTIONS

Nil

## ITEMS OF INTEREST & INFORMATION

Nil

## ORDERS OF THE DAY

1. **Rezoning - Lot 517 DP 529286, Lot 201 DP 1030080 and Lot 7032 DP 755701 LEP; 1180.9000; 1190.1258; 1190.1237; Notice of Motion**

Cr James

Cr Boyd

**PROPOSED** that Council:-

1. In accordance with Section 54 of the Environmental Planning and Assessment Act, prepares a draft Local Environment Plan to rezone Lot 517 DP 729286, Lot 201 DP 1030080 and Lot 7032 DP 755701 to 7(l) Environmental Protection (Habitat).
2. Advises the Secretary of Planning NSW of the resolution.
3. Advises the Secretary of Planning NSW that in Council's opinion a Local Environment Study is not required.

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392

Cr Beck

Cr Lawrie

**RESOLVED** that an extension of 5 minutes be granted to Cr James.

**Voting - Unanimous**

## ADJOURNMENT OF MEETING

Adjournment for dinner at 6.30pm.

## RESUMPTION OF MEETING

The Meeting resumed at 7.42 pm.

## AMENDMENT

393

Cr Beck

Cr Lawrie

**RESOLVED** that a report to Council on the zoning options for Lot 517 DP 529286, Lot 201 DP 1030080 and Lot 7032 DP 755701 be prepared.

The Amendment was **Carried**

**Voting For**

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

**Voting Against**

Cr Boyd  
Cr Carroll  
Cr James

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

**Voting For**

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

**Voting Against**

Cr Boyd  
Cr Carroll

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## 2. Tweed Local Environmental Plan 2000

**LEP; Notice of Motion**

**394**

**Cr Polglase**

**Cr Youngblutt**

**RESOLVED** that Council asks the Director Development Services to submit a report to the Council meeting on 6 November 2002 addressing means of amending Tweed Local Environmental Plan 2000 including to enable applications for dwelling houses that are currently prohibited in certain zones to be open to include submissions under SEPP1 when justification exists e.g. public benefit or re-subdivision in rural areas creating no net additional dwelling entitlements.

**Voting - Unanimous**

## WORKSHOPS PREVIEW

Nil

## QUESTION TIME

**Seaside City – Possible Fire Hazard**

**GT1/LEP/2000/3 Pt 7, LEP-Seaside City**

**Cr Beck**

Asked as to what expertise does the Director Development Services have to tell her that the blocks at Seaside City are not a fire hazard when a rural fire officer gave her contrary information.

The General Manager advised that any advice that the Director Development Services or any professionally qualified planner would give would be based upon experience and training in land use planning and based upon Council's Bushfire Planning Map. Seaside City is listed as a low fire hazard.

## COMMITTEE OF THE WHOLE

**395**

**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:-

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## REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

### REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

1. **EQ2002-61 - Termite Treatment for Timber Bridges and Various Buildings**  
Roads General; Noxious Insects and Pests; Bridges General; Contracts/Quotations-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*

**C90**

That the tender from Tedmans Pty Ltd be accepted for the Bridges and Natraspray for the Buildings.

**Voting - Unanimous**

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

2. **Banora Point Caravan Park - 2 Pacific Highway, Banora Point**  
Caravan Park – Banora Point, PF4030/2635 Pt4  
*Confidential Nature of This Item: The Local Government Act 1993 Clause 10A(2)*
  - (e) *information that would, if disclosed, prejudice the maintenance of law*

**C91**

That Council pursues the issues listed in Annexure 2 and any others as they arise through the delegated authority of staff.

**Voting - Unanimous**

### DECLARATION OF INTEREST

**Cr Polglase**

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 Cr Polglase has previously had business dealings with the applicant.

Councillor Davidson chaired the meeting.

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### 3. Installation of Unregistrable Moveable Dwelling - Homestead Caravan Park - Site 93

PF4040/1650 Pt 3 - Caravan Park - Homestead

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

*(f) matters affecting the security of the council, councillors, council staff or council property*

*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*

C92

That Council issues a notice of intention to serve an Order number 30 under the Local Government Act, 1993 to the owner of the structures on site 93, Homestead Caravan Park, Mrs Tanya Hickling, requiring that the structure be brought into conformity with Condition 10 of the approval issued by Council. Any appeals made be made to Council in writing within 28 days of the notice, or made to Council's Community Access Meeting of 13 November 2002.

**Voting - Unanimous**

### RETURN TO MEETING

Cr Polglase returned to the meeting and resumed the chair.

### 4. Installation of Unregistrable Moveable Dwelling - Site 129, North Star Holiday Resort

PF1190/1265 Pt 2 - Caravan Parks - North Star

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

*(f) matters affecting the security of the council, councillors, council staff or council property*

*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*

C93

That Council issues a notice of intention to serve and Order number 5 under the Local Government Act, 1993 to the North Star Holiday Resort, requiring that the structure be brought into compliance with the minimum of 2.5 metres setback distance stipulated under Clause 25 (1) (b) of the Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulations, 1995. Any appeals against the notice may be made in writing within 28 days of the date of the notice or at Council's Community Access Meeting of 13 November.

**Voting - Unanimous**

397

Cr Lawrie

Cr Youngblutt

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

# Minutes - Meeting of Tweed Shire Council

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## Voting - Unanimous

There being no further business the Meeting terminated at 8.25pm.



## Minutes of Meeting Confirmed by Council

at Meeting held 6 November 2002

I hereby certify that I have authorised the affixing of my  
electronic signature to the previous pages numbered 1 to 22 of these Minutes

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Chairman