

Minutes - Meeting of Tweed Shire Council

IN ATTENDANCE

Councillors W J Polglase (Mayor), L F Beck, R D Brinsmead, B J Carroll, G Davidson (Deputy Mayor), 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 Garry Smith (Acting Director Development Services), Mr Stewart Brawley (Acting Director Environment & Community Services), Mr Reg Norvill (Manager Finance & Information Services) and Mrs Maree Morgan (Minutes Secretary).

Cr Carroll and Cr Luff were not present at the commencement of the meeting.

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

"The steadfast love of the Lord never ceases, His mercies never come to an end; they are new every morning. Great is Your faithfulness!"

Almighty God, the Giver and Sustainer of life, the Lord of creation, we acknowledge our need of You and declare our dependence upon You. As we meet today grant us Your presence to guide us and the wisdom to make the right decisions on the matters before us. Help us to discern the real issues and enable us to be just in all we do. Give us a concern for all people and especially for the residents of our Shire.

We pray for one another and ask that You would help us to be gracious with each other, particularly when we have a different point of view. Help us to listen to each other and give us the courage to stand for what is right and true. We ask Your blessing upon our Mayor, Warren, and pray that You would guide him as he gives leadership within our Shire.

Grant us Your peace as we come and ask these our prayers in the name of Jesus Christ our Lord. Amen.

CONFIRMATION OF MINUTES

290

Cr Lawrie

Cr Youngblutt

RESOLVED that the Minutes of the Ordinary Meeting held 4 September 2002 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

291

Cr Lawrie

Cr Youngblutt

RESOLVED that the Minutes of the Extraordinary Meeting held 11 September 2002 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

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ABSENT

Councillor M R Boyd.

Councillor Cr Boyd was granted Leave of Absence by Council at its Extraordinary Meeting held on 11 September 2002 at Minute No 289.

DISCLOSURE OF INTEREST

Nil.

ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

292

Cr Beck

Cr Brinsmead

RESOLVED that the Notice of Rescission listed in Confidential Orders of the Day be considered in Open Council.

Voting - Unanimous

ATTENDANCE AT MEETING

Cr Carroll attended the meeting at 3.04pm.

SCHEDULE OF OUTSTANDING RESOLUTIONS

293

Cr Davidson

Cr Lawrie

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

1. Daily News Office

This item was received and noted.

Councillors' Invitations

2. Friendship Force

This item was received and noted.

Friendship Force – Councillors' Invitations

3. Red Cross Murwillumbah Branch

This item was received and noted.

Red Cross – Councillors' Invitations

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4. Tweed Heads & District Historical Society Inc
Historical Society – Councillors’ Invitations

This item was received and noted.

5. Dotars
Sustainable Regions Program – Councillors’ Invitations

This item was received and noted.

LATE ITEM

294

Cr Youngblutt

Cr Davidson

RESOLVED that Item 5a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

Voting - Unanimous

5a Letter from Department of Local Government – Bulford Report
GT1/LEP/2002/3 Pt7; LEP Seaside City

This item be received and noted.

SUSPENSION OF STANDING ORDERS

295

Cr Polglase

Cr Davidson

RESOLVED that standing orders be suspended to deal with late item 5b being a letter from Robert Bulford received by facsimile transmission on 18 September 2002 and tabled for Councillors consideration.

Voting - Unanimous

LATE ITEM

296

Cr Youngblutt

Cr Davidson

RESOLVED that Item 5b being an Addendum Item be dealt with and it be ruled by the Chairman to be of great urgency.

Voting – Unanimous

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5b. Facsimile from Department of Local Government – Bulford Report
GT1/LEP/2002/3 Pt7; LEP Seaside City

297

Cr Polglase

Cr Beck

RESOLVED that this item be deferred to the meeting of 2 October 2002 to allow a report to be brought forward dealing with the issues outlined in the correspondence.

AMENDMENT

Cr James

Cr Carroll

PROPOSED that Council requests an extension of 14 days to give a response as two Councillors have notified that they will be absent from next meeting.

The Amendment was **Lost**

Voting For

Cr Carroll
Cr James

Voting Against

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

The Motion was **Carried**

Voting - Unanimous

RESUMPTION OF STANDING ORDERS

298

Cr Polglase

Cr Marshall

RESOLVED that Standing Orders be resumed.

Voting - Unanimous

Adoption of Mayoral Minute

299

Cr Polglase

RESOLVED that the Mayoral Minute as presented be adopted.

Voting – Unanimous

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2002-2003 Rates Incentive Scheme

Rates Incentive Scheme

The 2002/2003 Rates Incentive price was drawn by Mayor, Cr Warren Polglase.

1st Prize – A Hyunda car was won by Mr John R Posselt & Mrs Heather J Posselt

2nd Prize - A trip for two people staying 7 nights at "The Colonial of Norfolk Island" was won by Mr Gerald Mann & Mrs Lesley Mann.

ITEMS DEFERRED

Nil.

REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

1. **Development Application DA02/0732 - Multi Dwelling Housing Development Comprising 6 x 3 Bedroom Units at Lot 2 Section 9 DP 758571 No. 282 Marine Parade, Kingscliff**

DA02/0732: 3340.2010

300

Cr Beck

Cr Marshall

RESOLVED that : -

- A. The State Environmental Planning Policy No. 1 objections to Clause 16 of Tweed Local Environmental Plan 2000 regarding the height of the building and to Clause 32B of the North Coast Regional Environmental Plan regarding overshadowing of beaches or adjacent open space be supported and the concurrence of the Director-General of PlanningNSW be assumed.
- B. Development Application DA02/0732 for multi-dwelling housing development comprising 6 x 3 bedroom units at Lot 2 Sec 9 DP 758571, No. 282 Marine Parade Kingscliff be approved, subject to the following conditions:

GENERAL

1. The development shall be completed in general accordance with the Statement of Environmental Effects prepared by Singleton Smith Pty Ltd (c.June 2002) and addendum dated 29 June 2002, Stormwater Management Plan prepared by Cozen Regan Williams Prove Pty Ltd dated July 2002, Landscape Plan prepared by Wotogo Gardenscapes dated May 2002 and Development Plan Nos P330WD 01, 02 & 03 All Revision B and P330WD04 prepared by Glen Peterson Architect and 22 March 2002, except where varied by these conditions.
2. The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia.

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3. The erection of a building in accordance with a development consent must not be commenced until:
 - a. detailed plans and specifications of the building have been endorsed with a construction certificate by:
 - (i) the consent authority; or
 - (ii) an accredited certifier; and
 - b. the person having the benefit of the development consent:
 - (i) has appointed a Principal Certifying Authority; and
 - (ii) has notified the consent authority and the Council (if the Council is not the consent authority) of the appointment; and
 - c. the person having the benefit of the development consent has given at least 2 days notice to the Council of the person's intention to commence the erection of the building.
4. Lighting used on the site shall not be permitted to detrimentally impact on the amenity of neighbouring premises.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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

Pursuant to Clause 146 of the Environmental Planning and Assessment Regulations, 2000, 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. Tweed Road Contribution Plan: | \$4,738.00 |
| S94 Plan No. 4 (Version 4.0) | |
| (Kingscliff Sector 6_4) | |
| b. Open Space (Structured): | \$2,263.00 |

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- | | | |
|----|--|------------|
| | S94 Plan No. 5 | |
| c. | Open Space (Casual): | \$487.00 |
| | S94 Plan No. 5 | |
| d. | West Kingscliff - Drainage: | |
| | 0.061 ha @ \$16,070.00 | \$980.00 |
| | DCP No. 9 S94 Plan No. 7 | |
| e. | Shirewide Library Facilities: | \$2,012.00 |
| | S94 Plan No. 11 | |
| f. | Eviron Cemetery/Crematorium Facilities: | \$396.00 |
| | S94 Plan No. 13 | |
| g. | Community Facilities (Tweed Coast) | \$2,460.00 |
| | (North Coast) | |
| | S94 Plan No. 15 | |
| h. | Emergency Facilities (Surf Lifesaving) | \$644.00 |
| | S94 Plan No. 16 | |
| i. | Extensions to Council Administration Offices | |
| | & Technical Support Facilities | \$1,225.45 |
| | S94 Plan No. 18 | |
| j. | Cycleways | \$470.00 |
| | S94 Plan No. 22 | |
| k. | Regional Open Space (Structured) | \$3,434.00 |
| | S94 Plan No. 26 | |
| l. | Regional Open Space (Casual) | \$644.00 |
| | S94 Plan No. 26 | |
6. A **certificate of compliance** (CC) under Sections 305, 306 and 307 of the Water Management Act 2000 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

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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:	3.5ET @ \$4000	\$14,000.00
Sewer:	3.5ET @ \$3275	\$11,463.00

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 Management Act 2000 to be certified by an Accredited Certifier.

7. The footings and floor slab 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 issue of a construction certificate.
8. 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 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 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.

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- (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*.
- (d) Specific requirements:
 - (i) The proposed Stormwater Quality facilities are designed and sized in accordance with the "*Tweed Urban Stormwater Management Plan*" and it's Appendix E - "*Tweed Shire Council. Aus-Spec D7 - Stormwater Quality*."
 - (ii) Prior to discharge into any infiltration device, runoff from hardstand / impervious areas is to be pre treated to remove contaminants prior to entry into the absorption areas (to maximise life of absorption areas between major cleaning /maintenance overhauls).

Stormwater Discharge

- (a) All stormwater runoff from the site is to be discharged to Marine Parade. No discharge is permitted to Kingscliff Lane at the rear of the site.
 - (b) Runoff from the driveway and basement parking area is to be puped for final discharge to Marine Parade in accordance with Section 9 of AS/NZS 3500.3.2 1998 (Natural Plumbing and Drainage - Part 3.2: Stormwater Drainage - Acceptable Solutions).
 - (c) The existing inlet opposite Lot 10 on Section 9 DP 758571 (approximately 110m downstream of the site on Marine Parade) is to be upgraded to accommodate the additional flow discharge to it from the development.
9. 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 200 l/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 and:-

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- (i) The infiltration Pit must be designed to completely empty (by means of infiltration) for a 3 month ARI storm event (deemed to be 40% of ARI 1 year event) within a 24 hour period, with a safety factor of 2.
- (ii) The design infiltration rate shall be determined as follows:-
 1. Conduct percolation tests on the site in accordance with Appendix B of AS. 1547 - 1994, Disposal System for Effluent from Domestic Premises,
 2. If the above calculation yields a result <6m/day, this rate may be used for design,
3. If the result is >6m/day, the rate for design may not exceed 6m/day unless this rate is confirmed by independently determining the coefficient of permeability of the soil in accordance with AS 1289.6.7.3. Notwithstanding these tests, the maximum infiltration rate that may be used for design in sizing purposes is 12m/day.
4. The owner shall be responsible for perpetual maintenance of the stormwater disposal and infiltration system to ensure its continual operation at design capacity and to ensure no adverse affects on other land or property.
10. 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

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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.

11. Erosion and Sediment Control During the Construction Phase of Development
 - (a) Construction phase stormwater quality treatment (erosion and sediment control) shall be designed and constructed in accordance with detailed engineering plans to be submitted and approved with the Construction Certificate. 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 (if required) has been released.
 - (b) The Construction Certificate Application must include a detailed erosion and sediment control plan (ESCP) for the construction phase of development, prepared in accordance with Section D7.07 of *Tweed Shire Council Aus-Spec D7 - Stormwater Quality*.
12. All fill is to be graded at a minimum of 1% 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 and approved by the PCA prior to the issue of a construction certificate.
13. 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.

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.
14. In accordance with DCP 2 and AS 2890.1 (section 3.4(a)) the maximum driveway gradient for 6m from the property boundary must not exceed 1:20 or 5%.
15. In respect of peak discharge and on site detention, the figures provided within the application are not accepted (i.e. C100≠0.84) and will therefore require resubmission with the Construction Certificate Application.

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16. 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 including the construction of new driveway access (or modification of access). 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.

PRIOR TO COMMENCEMENT OF WORK

17. 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.
18. All cut or fill on the property is to be battered at an angle not greater than 45° within the property boundary, stabilised to the satisfaction of the Principal Certifying Authority and provided with a dish drain or similar at the base or otherwise retained to the satisfaction of the Principle Certifying Authority. All retaining works shall be completed to the satisfaction of the Principal Certifying Authority prior to start of building work. Please note timber retaining walls are not permitted.
19. 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; 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.

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20. 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.
21. 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.
 - c. Lot number.
22. 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.
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. 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.

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

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Construction Works". Erosion and sediment controls shall remain in place until final approval is given and the maintenance bond has been released.

25. 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.
26. Prior to commencement of building works provide hydraulic drawings on the proposed sewer drainage systems including pipe sizes, details of materials and discharge temperatures.
27. Prior to commencement of work, a sign detailing the project and containing the names and contact numbers of the Developer, Contractor and Consulting Engineer shall be erected and maintained in a prominent position at the site to the satisfaction of the Director, Development Services. The sign is to remain in place until the Subdivision Certificate is issued.
28. Prior to any demolition works commencing on site, the name and contact details of the responsible person shall be provided in writing to Council's Director Environment and Community Services.

DURING CONSTRUCTION

29. 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).
30. The builder must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction.
31. A garbage storage area shall be provided in accordance with Council's "**Code for Storage and Disposal of Garbage and Other Solid Waste**".
32. 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.
33. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers expense and any such costs are payable prior to the issue of a Subdivision Certificate.
34. 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

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- e. steel reinforcing prior to pouring of concrete
35. 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.
36. If the work involved in the erection or demolition of a building:
- a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - b. building involves the enclosure of a public place,
- a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with , the work falling into the public place.
- The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- Any such hoarding, fence or awning is to be removed when the work has been completed.
37. The provision of adequate vehicular access in accordance with Council's "Vehicular Access to Property Construction Specification" pamphlet, including the provision of an invert crossing at the kerb and gutter where required and paving of the driveway across the footpath to the front alignment to the satisfaction of the Director, Engineering Services. Twenty four (24) hours notice is to be given to Council's Engineering Services Division before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the vehicular access and its reconstruction. Paving bricks are not acceptable unless laid on a 100mm thick concrete base.
38. 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.
39. 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.
40. All new residential dwellings (and extensions comprising over 50% of the original floor area) are to fully comply with Councils Energy Smart Housing Policy (DCP39). In order to comply with DCP39 consideration must be given to the building envelope, orientation, insulation, ventilation, thermal mass, zoning, and hot water supply.
41. Council is to be given 24 hours notice for any of the following inspections prior to the next stage of construction:
- a. internal drainage, prior to slab preparation;

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- b. water plumbing rough in, and/or stackwork prior to the erection of brick work or any wall sheeting;
 - c. external drainage prior to backfilling.
 - d. completion of work.
42. 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.
43. An isolation cock is to be provided to the water services for each unit in a readily accessible and identifiable position.
44. Where two (2) or more premises are connected by means of a single house service pipe, the owner of each premises must (*unless all the premises are occupied by a single household or firm as a residence or place of business*) ensure that a separate water meter, of a class and size approved by Council, is installed on each of those premises.
45. 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.
46. 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:-
- * 43.5⁰C for childhood centres, primary and secondary schools and nursing homes or similar facilities for aged, sick or disabled persons; and
 - * 50⁰C 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.
47. 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:

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- 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.
48. 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.
49. Where the construction work is on or adjacent to public roads, parks or drainage reserves the development shall provide and maintain all warning signs, lights, barriers and fences in accordance with AS 1742-1991 (Manual for Uniform Traffic Control Devices). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.
50. All demolition works are to observe the guidelines set down under the Environment Protection Authority publication "A Renovators Guide to the Dangers of Lead" and the WorkCover guidelines on working with and handling of asbestos.
51. Ensure adequate turfed area, or other suitable media, is incorporated and maintained into the proposed landscape of the property for use as a car wash-down area.
52. All surface water collected from hard stand parking areas to be directed to Council approved pre-treatment facilities before discharge to approved discharge locations. Stormwater from covered or enclosed carpark areas shall not be discharged to the public sewer unless approved treatment facilities have been provided. Details are to be submitted to and approved by the Director of Environment and Community Services prior to installation
53. Regular inspections shall be carried out by the Supervising Engineer on site to ensure that adequate erosion control measures are in place and in good condition both during and after construction.

Additional inspections are also required by the Supervising Engineer after each storm event to assess the adequacy of the erosion control measures, make good any erosion control devices and clean up any sediment that has left the site or is deposited on public land or in waterways.

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This inspection program is to be maintained until the maintenance bond is released or until Council is satisfied that the site is fully rehabilitated.

54. 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.
55. All necessary precautions shall be taken to minimise impact from dust during filling operations from the site and also from construction vehicles.
56. The use of vibratory compaction equipment (other than hand held devices) within 100m of any dwelling house is strictly prohibited.
57. The burning of builders waste on site by open fire is prohibited.
58. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction, operation and, where relevant, the decommissioning of the development.
59. Back flow prevention devices shall be installed wherever cross connection occurs or is likely to occur. The type of device shall be determined in accordance with AS 3500.1 and shall be maintained in working order and inspected for operational function at intervals not exceeding 12 months in accordance with Section 4.7.2 of this Standard.
60. In the event that dewatering of the site is required ALL works shall cease unless otherwise directed by Council's Director Development Services AND consultation with the Department of Land and Water Conservation shall commence and where deemed necessary a Part 3A Permit pursuant to the Rivers and Foreshores Improvement Act 1948 is obtained and evidenced to Council's Director.
61. Works shall comply with the Stormwater Management Plan prepared by Cozens Regan Williams Prove Pty Ltd, dated July 2002.
62. Acid Sulfate Soils shall not be exposed and or disturbed unless in accordance with Clause 35 of Tweed Local Environmental Plan an Acid Sulfate Soil Management Plan is prepared and submitted to Council's Director Environment and Community Services for assessment.
63. All waste materials shall be collected, stored and disposed of to the satisfaction of Council's Director Environment and Community Services.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

64. In the event that Council is not utilised as the inspection/certifying authority, prior to occupation of the building a Compliance Certificate in the prescribed form is to be submitted to Council from the nominated principal certifying authority, together with the prescribed fee, to certify that all work has been completed in accordance with the approved plans and specifications, conditions of Consent and the relevant provisions of the Building Code of Australia.

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65. 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.

USE

66. 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.
67. 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.

Voting – Unanimous

ATTENDANCE AT MEETING

Cr Luff attended the meeting at 3.15pm.

2. Banora Point Community Centre

DA1393/320 Pt2; Banora Point Community Centre; 1393.320

Cr Luff

Cr Davidson

PROPOSED that Council confirms to the Establishment Committee: -

1. That the Banora Point Community Centre can incorporate a community pre-school, subject to the limitations stipulated in Council's resolution of 7 August 2002 on this matter; and
2. That shared use of the current parking facilities in the Salvation Army Centre will be considered in conjunction with the Salvation Army when a final plan of the proposed Community Centre building and activities is available to enable assessment of the requirements for parking.

AMENDMENT

301

Cr Lawrie

Cr Youngblutt

RESOLVED that Council confirms to the Establishment Committee that:-

1. Banora Point Community Centre can incorporate a community pre-school provided:
 - i) it is in accordance with Version 3 of Section 94 Plan No 3
 - ii) does not consume a disproportionate amount of space in the community centre

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2. Shared use of the current parking facilities in the Salvation Army Centre will be considered in conjunction with the Salvation Army when a final plan of the proposed Community Centre building and activities is available to enable assessment of the requirements for parking.

The Amendment was **Carried**

Voting For

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

Voting Against

Cr Luff
Cr Marshall

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

Voting - Unanimous

3. **PlanFirst**
White Paper; Acts & Ordinances – Environmental Planning and Assessment

Cr Luff

Cr Davidson

PROPOSED that Council writes to the Deputy Premier, Minister for Planning, Minister for Aboriginal Affairs and Minister for Housing, Dr Andrew Refshauge to strongly advocate the selection of the Northern Rivers as a priority region as part of the implementation of PlanFirst.

AMENDMENT

Cr Beck

Cr Brinsmead

PROPOSED that Council writes to the Deputy Premier, Minister for Planning, Minister for Aboriginal Affairs and Minister for Housing, Dr Andrew Refshauge to strongly advocate the selection of the Northern Rivers as a priority region as part of the implementation of PlanFirst, but does not include 0.064% contribution requirement on developments valued at \$50,000 or more when they are submitted as development applications to Council.

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The Amendment was **Lost**

Voting For

Cr Beck
Cr Brinsmead

Voting Against

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

The Motion was withdrawn by Cr Luff and Cr Davidson.

302

Cr Marshall

Cr Luff

RESOLVED that Council acknowledges the Minister's media release that the Northern Rivers region has been chosen as a priority region as part of the implementation of PlanFirst

Voting - Unanimous

REPORTS FROM DIRECTOR CORPORATE SERVICES

4. **Northern Stars - Under the Big Top (New South Wales Department of Education)
Education Matters; Concerts; Sponsorship**

303

Cr Beck

Cr Marshall

RESOLVED that Tweed Shire Council does not become a sponsor for "Northern Stars - Under the Big Top".

Voting - Unanimous

5. **2002 National General Assembly of Local Government 3-6 November 2002
Australian Local Government Association; Councillors-Conferences**

304

Cr Davidson

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

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6. Statewide Mutual - Position Statement

Insurance - General

305

Cr Luff

Cr Marshall

RESOLVED that this report be received and noted

Voting - Unanimous

7. Financial Indicators - 2000/01 Comparative Information on NSW Councils Provided by the Department of Local Government

Comparative Information; Financial Reporting; Budget

306

Cr Beck

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

LATE ITEM

307

Cr Beck

Cr Youngblutt

RESOLVED that Item 7a being an Addendum item be dealt with and it be ruled by the Chairman to be of great urgency.

Voting - Unanimous

7a. Lease Documents - Common Seal

Bilambil Sports Club

308

Cr Marshall

Cr Davidson

RESOLVED that the lease documents be completed under the Common Seal of Council.

Voting - Unanimous

REPORTS FROM DIRECTOR ENGINEERING SERVICES

8. Water and Sewerage Capital Works Program 2002 / 2003

Water - Capital Works Program - General; Sewerage - Capital Works Program - General

309

Cr Youngblutt

Cr Davidson

RESOLVED that Council adopts the Water and Sewerage Capital Works Program for the 2002 / 2003 financial year as detailed in the attached report.

Voting - Unanimous

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9. Burringbar / Mooball Sewerage Scheme - Draft Revised Options Report Sewerage Treatment - Burringbar

310

Cr Marshall

Cr Beck

RESOLVED that Council:-

1. Adopts the Draft Revised Options Report for the Burringbar Sewerage Scheme.
2. Proceeds with community consultation.
3. Communicates the Council decision through the Tweed Link.
4. Adopts in principle a charging policy that results in full community cost recovery for any additional lots created within the serviced area.

Voting - Unanimous

10. Classification of Land as Operational - Metricon Qld Pty Ltd - Seabreeze Estate, Pottsville

DA4420/276 Pt10

311

Cr Luff

Cr Marshall

RESOLVED that the land proposed to be transferred to Council as a Pumping Station, described as Lot 137 and Lot 138 in the subdivision of Lots 1 in DP 1044671 (formerly referred to as Lot 4 in DP 803030) be classified as Operational under Section 31 of the Local Government Act, 1993.

Voting - Unanimous

11. Acquisition of Crown Land, being Lot 2 in DP 1044176 at Karramul Street, Murwillumbah for Reservoir

Water Conveyancing - Reservoir - Hospital Hill - 510.15

312

Cr Luff

Cr Lawrie

RESOLVED that:-

1. Council approves the acquisition of Lot 2 in DP1044176 for water reservoir, under the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 for the purposes of the Local Government, 1993;
2. All necessary documentation be endorsed under the Common Seal of Council; and
3. Payment of compensation in the amount assessed by the Valuer General's Department as at the date of gazettal of the acquisition be made to the Crown.

Voting - Unanimous

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12. Myrtle Street, Murwillumbah - Proposed Upgrading

R3660

313

Cr Lawrie

Cr Davidson

RESOLVED that:-

1. Myrtle Street be designed to include back to back cul-de-sacs to regulate traffic as permitted by Section 115 of the Roads Act, 1993.
2. The funding of \$90,000 in the current financial year be used to construct the cul-de-sac and the western entrance to Myrtle Street.
3. Funding to complete the required upgrading works in Myrtle Street be considered in the 2003 – 2004 Works Program.

AMENDMENT

Cr Beck

Cr Marshall

PROPOSED that:-

1. Florin Lane be upgraded to make it a two way street and Myrtle Street remain a two way street in its current form; and
2. Funds be voted from the 2002/03 Works Program.

The Amendment was **Lost**

Voting For

Cr Beck
Cr Marshall
Cr Youngblutt

Voting Against

Cr Polglase
Cr Brinsmead
Cr Carroll
Cr Davidson
Cr James
Cr Lawrie
Cr Luff

The Motion was **Carried**

Voting For

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

Voting Against

Cr Beck
Cr Youngblutt

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REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

13. Needle Disposal Bins - Progress Report on Contract Period: November 2000 - July 2002 (Contract Ends November 2002)

Drugs Related Matters, Public Toilets, Parks-Knox Park, Jack Bayliss

314

Cr Luff

Cr Carroll

RESOLVED that :

1. The needle disposal bins remain in their current locations, and as further "hot spots" are identified more needle disposal bins are installed to meet demand.
2. The needle disposal bins continue to be serviced by SGS Australia (Pink Health Care) until the end of the current contract period (November 2002), and the Council either extend the current contract or go out to tender for a new contract after this time.

Voting For

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

Voting Against

Cr Beck

Cr Beck

Cr Marshall

PROPOSED that the police be given a copy of the needle disposal data post-installation of needle disposal bins for the period November 2000-July 2002 and be requested to increase surveillance of the following public toilet facilities:

- Knox Park
- McIllrath Park
- Chris Cunningham Park
- Ray Pascoe Park
- Bullamakanka Rest Stop
- Cudgen Park

The Motion was **Lost**

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Voting For

Cr Beck
Cr Marshall

Voting Against

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

14. Waste Oil Recycling

Garbage – Recycling; Environmental Trust Grants

315

Cr Marshall

Cr James

RESOLVED that Council:-

1. Accepts the grant under normal terms and conditions and the Common Seal of Council be affixed to documentation if applicable.
2. Votes the funding for the project.

Voting - Unanimous

15. National Youth Roundtable 2003

Youth Matters

316

Cr Marshall

Cr Luff

RESOLVED that Council encourages young people within the Shire to apply to attend the National Youth Roundtable 2003.

Voting - Unanimous

16. Establishment of Alcohol Free Zone - Murwillumbah CBD

Alcohol Free Zones

317

Cr Youngblutt

Cr Marshall

RESOLVED that Council declares the below listed roads, footpaths and public car parking areas in the Murwillumbah town centre 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. Business areas licensed by Council for footpath dining are not included.

The relevant areas are as follow:

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- Queensland Road from 'Harry Williams Gate' of the Murwillumbah Showgrounds to Murwillumbah Street Murwillumbah, including the car park area near Mount Saint Patricks School on Queensland Road.
- Bent Street from Queensland Road to Church Lane
- Church Lane
- Police Lane
- Queen Street from Murwillumbah Street to Church Street
- Murwillumbah Street from the intersection of Nullum Lane to Queen Street.
- Wharf Street from Queen Street to Tumbulgum Road.
- Commercial Road from Wharf Street to King Street.
- King Street from Commercial Road to Brisbane Street.
- Brisbane Street from Murwillumbah Street to Condong Street.
- Condong Street from Brisbane Street to Nullum Street.
- Nullum Street.
- Nullum Lane.
- Proudfoots Lane.
- Wollumbin Street from Nullum Lane to the Commercial Road roundabout.
- The Knox Park car park.
- Alma Street from the Commercial Road roundabout to the Alma Street/Tweed Valley Way roundabout.
- Tumbulgum Road from Wharf Street to Racecourse Road.
- Factory Lane.

Voting - Unanimous

17. Entomological Control Report for Period May to August 2002

Noxious – Insects & Pests

318

Cr Marshall

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

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REPORTS FROM COMMITTEES/WORKING GROUPS

1. Minutes of the Tweed River Committee Meeting held Wednesday 21 August 2002
Tweed River Management Plan
4. Stotts Channel Vegetation Clearing Management and Potential Dredging
Drainage Union – Duranbah

319

Cr Marshall

Cr Luff

RESOLVED that a preliminary investigation be carried out to determine what information is required to remove a portion of the sand bank at the downstream end of Stotts Creek Channel.

Voting - Unanimous

320

Cr Marshall

Cr James

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

Voting - Unanimous

2. Minutes of the Tweed Coastal Committee Meeting held Wednesday 21 August 2002

Tweed Coastal Committee

2. Aquatic Licence, Mooball Creek

Mooball Creek

321

Cr Marshall

Cr James

RESOLVED that the Aquatic Licence held for boat hire in Mooball Creek not be extended to include powered craft.

Voting - Unanimous

4. Proposed Norries Headland Caravan Park

Coastal Management

322

Cr Marshall

Cr James

RESOLVED that the Committee brings to the attention of Council that in the Committee's opinion, the timing of the development applications for the three coastal Council Caravan Parks on Crown Land (North Kingscliff, Kingscliff and proposed Norries Headland) is inappropriate because it pre-empts the outcomes of the Tweed Coastline Management Study and Management Plan.

Voting - Unanimous

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323

Cr Marshall

Cr James

RESOLVED that the balance of the Minutes of the Tweed Coastal Committee Meeting be adopted.

Voting - Unanimous

OUTSTANDING INSPECTIONS

Nil

ITEMS OF INTEREST & INFORMATION

Nil.

ORDERS OF THE DAY

1. Council Union Picnic Day - 8 November 2002

Staff-Leave Entitlements; Notice of Motion

Cr Beck

Cr Youngblutt

PROPOSED that all Tweed Shire Council staff are entitled to have the day off work on the Council Union Picnic Day on Friday, 8 November 2002.

Voting For

Cr Beck
Cr Marshall

Voting Against

Cr Polglase
Cr Brinsmead
Cr Carroll
Cr Davidson
Cr James
Cr Lawrie
Cr Luff
Cr Youngblutt

2. Alcohol-Free Zone-Murwillumbah Central Business District

Alcohol-Free Zones; Notice of Motion

This matter was dealt with at Item No. 16 – Minute No 317 refers.

CONFIDENTIAL ITEM DEALT WITH IN OPEN COUNCIL

1. Illegal Clearing of Lot 14 Section 5 DP 14895 Seaside City, South Kingscliff

GT1/LEP/2000/3 Pt7; Notice of Rescission; LEP Seaside City

Cr Beck

Cr Lawrie

PROPOSED that Council resolution at Minute No C6 in relation to Item 1 of the Meeting held 4 September 2002 being:-

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".....that:-

1. The owner of the Lot 14 Section 5 DP 14895, Seaside City, South Kingscliff be requested to submit to Council a rehabilitation plan to revegetate the property with native trees and shrubs endemic to the Coastal environment. Such Plan to be submitted within 21 days of the date of this resolution and works to be completed to Council's satisfaction within 6 months of the plan being approved by Council; and

2. Should the landowner not abide by the above resolution the matter be referred to Council's solicitors to initiate legal proceedings to obtain an order to carry out such works."

be rescinded."

The Rescission Motion was **Lost**

Voting For

Cr Beck
Cr Youngblutt

Voting Against

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

TEMPORARY ABSENCE FROM MEETING

Cr Beck left the meeting.

324

Cr Davidson

Cr Youngblutt

RESOLVED that Council defers any action on this item until an organised Council inspection on 25 September 2002 at 5.00pm.

Voting – Unanimous

RETURN TO MEETING

Cr Beck returned to the meeting.

WORKSHOPS PREVIEW

Nil.

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QUESTION TIME

Signage – Penny Ridge Resort

Development – General Enquiries; Signage

Cr Luff

Asked whether the signs at Bilambil and Carool, which advertise the enterprises of Penny Brother's have development approval?

The Acting Director Development Services replied that the sign in Bilambil Village has been approved and Council at its meeting of 21 August resolved *that the Development Application DA02/1111 for the erection of a advertising sign on Lot 1 DP 121377 No 363 Carool Road, Carool be deferred pending determination of the application and request the applicant to provide additional information within 28 days to meet the statutory compliance requirements.*

COMMITTEE OF THE WHOLE

325

Cr Davidson

Cr Lawrie

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 DEVELOPMENT SERVICES IN COMMITTEE

- 1. Illegal Clearing at Lot 156 DP 628026 Creek Street, Hastings Point
PF1431/190 Pt4; 1431.190; Illegal Land Clearing**

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

C77

That:

1. Walter Elliot Holdings Pty Ltd be asked to show cause within 28 days why Council should not commence legal proceedings in the Land and Environment Court against the owner of the property: - Lot 156 DP 628026 being Walter Elliot Holdings Pty Ltd for clearing within the 7(a) Environmental Protection (Wetlands and Littoral Rainforest) Zone without Development Consent.

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2. The owner be instructed to desist from any further work in 7(a) zone without Council consent.

Voting For

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

Voting Against

- Cr Carroll
- Cr James
- Cr Luff
- Cr Marshall

2. **Vehicles Associated with Motor Showroom at Lots 5 and 6 Section 7 DP 27264 Prospero Street, Murwillumbah Being Stored, Displayed and Repaired Within the Prospero Street Road Reserve and an Adjacent Public Car Park**

PF4450/20; 4450.20

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

C78

That Council’s Solicitors be instructed to proceed with the appropriate legal action in relation to vehicles associated with “Taylor Made Car Sales” at Lots 5 and 6 Section 7 DP 27264 Prospero Street, Murwillumbah, being stored, displayed and repaired within the Prospero Street Road Reserve and an adjacent public car park.

Voting - Unanimous

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

3. **EC2002-110 Manufacture, Supply and Delivery of 1030mm Nominal Internal Diameter Pressure Pipe**

GC12/1-2 Pt3

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*

C79

That:

1. The contract for the Manufacture, Supply and Delivery of 2366.49 m of 1030mm diameter pressure pipe with a contract value of \$1,143,375.70 be awarded to Tyco Water Pty Ltd.
2. The Director of Engineering Services be authorised to approve contract variations up to 20% of the contract value for the supply of the necessary fabricated mild steel fittings.

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Voting - Unanimous

ORDERS OF THE DAY IN COMMITTEE

- 1. Illegal Clearing of Lot 14 Section 5 DP 14895 Seaside City, South Kingscliff
GT1/LEP/2000/3 Pt7; Notice of Rescission; Illegal Clearing**

This item was dealt with in Open Council at Minute No. 324.

Voting - Unanimous

326

Cr Luff

Cr Lawrie

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 5.59pm.



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 33 of these Minutes**

Chairman