

Minutes - Meeting of Tweed Shire Council

IN ATTENDANCE

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

Mr Russell Logan (Aboriginal Mentor Program)

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 Brian Donaghy (Manager Administration Services/Public Officer) and Mrs Kerrie McConnell (Minutes Secretary).

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

The meeting opened with a Prayer by Rev Ian Hartland:

***“For lack of guidance a nation falls,
but many advisers make victory sure.***

(Proverbs 11:14)

Almighty God, we acknowledge Your grace and love and look to You to guide us in all that we do as we meet today. Grant us wisdom to make the right decisions and to truly represent the people of our Shire. We thank You for the rich resources of our Shire – its natural beauty, its people with all their gifts and talents, and its potential for agriculture and development. Help us, O God, to hold all this in balance that through our decisions our Shire might prosper. Renew our vision for the Tweed and give us the courage to make those decisions which will bring new hope to our valley.

Loving God, we thank You for the rain which has fallen in our Shire. We remember those who are still in drought – some in our own Shire, but many in other parts of our State and nation. O God, send the life-giving rains which are so desperately needed. Sustain those who still battle the ravages of drought and those who are recovering from the devastation of fire.

Save us from narrow self-interest and blind prejudice; help us to be men and women of integrity who are trusted as leaders in our community. Let Your abundant blessing upon each of us. Help us to be gracious with one another in our conversation and generous in our praise and encouragement.

Father God, we ask Your special blessing upon Warren, our Mayor, as he gives leadership within our Shire. Let Your peace be upon us all and fill this place with Your presence; for we ask it in the Name of Jesus Christ our Lord. Amen”

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CONFIRMATION OF MINUTES

278

Cr Boyd

Cr Marshall

RESOLVED that the Minutes of the Ordinary Meeting held 2 April 2003 be confirmed as an accurate record of the proceedings of that Meeting.

Voting - Unanimous

ATTENDANCE AT MEETING

Cr Carroll attended the meeting at 3.05pm.

EXPRESSION OF THANKS

The Mayor thanked Rev. Ian Hartland for his attendance at Council meetings, presented a gift of a painting of a Coolamon Tree and wished him and his wife Shirley well on their move to Maitland.

ABSENT

Councillors G Davidson (Deputy Mayor), R D Brinsmead.

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

Councillor Brinsmead has informed the General Manager that his absence is due to being out of the area.

279

Cr Boyd

Cr Marshall

RESOLVED that the apology of Cr Davidson and Cr Brinsmead be accepted.

Voting - Unanimous

DELEGATES REPORT

Mr Russell Logan (Aboriginal Mentor Program) addressed Council regarding his attendance at the 16th General Local Government Aboriginal Network Conference from 12 to 14 March 2003 at the Liverpool Catholic Club. Mr Logan advised that his report is to be tabled at the Aboriginal Advisory Committee meeting.

DISCLOSURE OF INTEREST

Cr Carroll

Declared an interest in Item No 7.

The nature of the interest is that Cr Carroll is on the Board of the Tweed Training Enterprise Centre Limited (TTEC).

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ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil

ATTENDANCE AT MEETING

Cr Luff attended the meeting at 3.25pm.

SCHEDULE OF OUTSTANDING RESOLUTIONS

280

Cr Boyd

Cr James

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

1. Citizenship Ceremony

This item was received and noted.

Citizenship Ceremony

2. Seagulls Sports Club

This item was received and noted.

Councillors' Invitation

3. Anzac Day Service

This item was received and noted.

Ceremonies – Anzac Day

4. NRMA

This item was received and noted.

Councillors' Invitations

5. Tourism & Small Business

This item was received and noted.

Tourism General

6. Banora Point Residents Association

This item was received and noted.

Councillors' Invitations

7. Tweed Chamber of Commerce

This item was received and noted.

Councillors' Invitations

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8. Casuarina Beach

Casuarina Development

This item was received and noted.

9. Cabarita SLSC

Surf Life Saving Club - Cabarita

This item was received and noted.

10. Citizenship Ceremony

Citizenship Ceremonies

This item was received and noted.

11. Wintersun

Festivals - Wintersun

This item was received and noted.

12. Tweed Fire Services

Fire Services

This item was received and noted.

13. Salvation Army

Councillors' Invitations

This item was received and noted.

14. Tweed Heads Ministerial Taskforce

Tweed Heads Ministerial Taskforce

This item was received and noted.

Adoption of Mayoral Minute

281

Cr Polglase

RESOLVED that the Mayoral Minute as presented be adopted.

Voting - Unanimous

ITEMS DEFERRED

Nil

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REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

**1. Dwelling Entitlement for Lot 1, DP 1009372, Piggabeen Road, Tweed Heads West
GT1/LEP/2000/43 Pt1; LEP 2000/43**

282

Cr Beck

Cr Boyd

RESOLVED that Council forwards the draft Tweed Local Environmental Plan 2000, Amendment No 43, to the Minister for Infrastructure, Planning and Natural Resources and requests the Minister to make the Plan in accordance with Section 70 of the Environmental Planning and Assessment Act 1979.

Voting For

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

Voting Against

Cr Luff

2. Tourism Development in Tweed Shire

GT1/LEP/2000 Pt1; LEP 2000

Cr Boyd

Cr Luff

PROPOSED that Council prepares and exhibits amendments to relevant Development Control Plans and S94 Contributions Plans to require tourist accommodation to meet the same planning controls and multi dwelling housing, as follows:

- Development Control Plan No 6 – Multi Dwelling Housing:
- Include in Clause 1.5:
 - “A7. *To ensure that tourist accommodation which is capable of being used as permanent residential accommodation meets the same standards as multi dwelling housing*”.
- Include in Clause 1.6 the following paragraph:
 - “*This DCP applies to tourist accommodation*”.
- Any necessary textural changes throughout the document to add or include tourist accommodation where multi-dwelling housing controls apply.
- Development Control Plan No 2 – Site Access and Parking Code:

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- Replace Item B6 in Table 4.9B with the following:

Item	Development	Comment	Public Transport, Bus Stop Seating	Bicycle parking	Delivery, Service Vehicle parking (50% must be truck size)	Resident Parking	Staff parking	Customer car parking
B6	Tourist accommodation		1/15 units	2/unit, class 2 AS 2890.1. Residential buildings without access to ground level private open space only.	1/50 units	1.5/dwelling. 25% to be accessible and marked for visitors.		

- All S94 Contribution Plans: include “tourist accommodation” in the same category as multi unit dwellings, or the like, for purposes of calculating contribution rates.

The Motion was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr James
Cr Luff

Voting Against

Cr Polglase
Cr Beck
Cr Lawrie
Cr Marshall
Cr Youngblutt

3. Development Application DA02/1815 for a Managers Residence at Lot 1, DP 873622, No 515 Carol Road, Carool

DA02/1815 Pt1; LN: 39879

Cr Luff

Cr Boyd

PROPOSED that Development Application DA02/1815 for a managers residence at Lot 1, DP 873622, No 515 Carol Road, Carool be refused for the following reasons:

1. The application does not satisfy a primary objective of the zone, as detailed in Clause 11 of Tweed Local Environmental Plan 2000, which reads as follows:
“to protect rural character and amenity”
2. The application does not satisfy the requirements of Clause 8 (1) (b) Consent Considerations of Tweed Local Environmental Plan 2000;
3. The proposed managers residence is not considered to be ancillary to the existing pet motel;
4. The necessity for a separate driveway access is unsuitable;
5. The proposed location of the manager’s residence is unsuitable;
6. The managers residence will appear as an independent building with no connection to the southern portion of the allotment;

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7. The application will create an unwarranted and undesirable present for other properties within the Shire; and
8. The application is not in the public interest.

The Motion was **Lost**

Voting For

Cr Boyd
Cr James
Cr Luff
Cr Marshall

Voting Against

Cr Polglase
Cr Beck
Cr Carroll
Cr Lawrie
Cr Youngblutt

Cr Beck

Cr Lawrie

PROPOSED that this Development Application DA02/1815 for a managers residence at Lot 1 DP 873622, No 515 Carool Road Carool be approved and the conditions be determined by the Director Development Services in consultation with the Mayor and the General Manager.

The Motion was **Lost**

Voting For

Cr Polglase
Cr Beck
Cr Lawrie
Cr Youngblutt

Voting Against

Cr Boyd
Cr Carroll
Cr James
Cr Luff
Cr Marshall

4. **Development Application DA02/1137 for Multi-Dwelling Housing Comprising 2 x 4 Bedroom and 1 x 2 Bedroom Units at Lot 16, Sec 4, DP 31209, No 11 Cypress Crescent, Cabarita Beach**

DA02/1137 Pt1; LN: 30933

283

Cr Boyd

Cr Luff

RESOLVED that Development Application DA02/1137 for multi-dwelling housing comprising 2 x 4 bedroom and 1 x 2 bedroom units at Lot 16, Sec 4, DP 31209, No 11 Cypress Crescent, Cabarita Beach be refused for the following reasons:

1. The proposal is an overdevelopment of the site.
2. The proposal is inconsistent with the objectives of the 2(a) Low Density Residential zone.

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3. The proposal does not comply with Clause 51A of Tweed Local Environmental Plan 2000 in that the area of the lot is less than the area required in this Clause for 3 dwellings.
4. The proposal is inconsistent with Clause 36 of Tweed Local Environmental Plan 2000.
5. The proposal does not comply with Clause 32B of the North Coast Regional Environmental Plan 1988 in terms of coastal erosion and overshadowing of a beach or foreshore.
6. The site located within a Coastal Erosion Zone is unsuitable for a development of this magnitude.
7. The proposal is not in the public interest.

Voting For

Cr Boyd
Cr Carroll
Cr James
Cr Luff
Cr Marshall

Voting Against

Cr Polglase
Cr Beck
Cr Lawrie
Cr Youngblutt

A RESCISSION MOTION HAS BEEN RECEIVED ON ITEM 4 FROM CRS BECK, YOUNGBLUTT AND LAWRIE.

284

Cr Boyd

Cr Carroll

RESOLVED that Item 3 of the Agenda be re-submitted.

Voting For

Cr Polglase
Cr Beck
Cr Boyd
Cr Carroll
Cr James
Cr Luff
Cr Marshall

Voting Against

Cr Lawrie
Cr Youngblutt

3. **Development Application DA02/1815 for a Managers Residence at Lot 1, DP 873622, No 515 Carool Road, Carool**

DA02/1815 Pt1; LN: 39879

285

Cr James

Cr Carroll

RESOLVED that Development Application DA02/1815 for a managers residence at Lot 1, DP 873622, No 515 Carool Road, Carool be refused for the following reasons:

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1. The application does not satisfy a primary objective of the zone, as detailed in Clause 11 of Tweed Local Environmental Plan 2000, which reads as follows:
“to protect rural character and amenity”
2. The application does not satisfy the requirements of Clause 8 (1) (b) Consent Considerations of Tweed Local Environmental Plan 2000;
3. The proposed managers residence is not considered to be ancillary to the existing pet motel;
4. The necessity for a separate driveway access is unsuitable;
5. The proposed location of the manager’s residence is unsuitable;
6. The managers residence will appear as an independent building with no connection to the southern portion of the allotment;
7. The application will create an unwarranted and undesirable present for other properties within the Shire; and
8. The application is not in the public interest.

Voting For

Cr Boyd
Cr Carroll
Cr James
Cr Luff
Cr Marshall

Voting Against

Cr Polglase
Cr Beck
Cr Lawrie
Cr Youngblutt

A RESCISSION MOTION HAS BEEN RECEIVED ON ITEM 3 FROM CRS LAWRIE, BECK AND YOUNGBLUTT.

5. Rural Settlement Strategy

GT1/LEP/2000/42 Pt1; LEP-2000/42

286

Cr Beck

Cr Marshall

RESOLVED that:-

1. A meeting be held of the LEP Committee as soon as possible and that a copy of the letter from Steve Murray, Regional Planning Coordinator, PlanningNSW, be given to Committee members and also a copy of the report that went to Mr Murray.
2. A copy of the report sent to PlanningNSW be made available to Councillors upon request.
3. A copy of the Coffs Harbour City Council’s Draft Rural Settlement Strategy be provided to Councillors.

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AMENDMENT

Cr Luff

Cr Carroll

PROPOSED that Council:-

1. Receives and notes this report and the letter of 25 March 2003 from PlanningNSW.
2. Notes that the Director Development Services will submit a report to the Council meeting of 7 May 2003 on options for Council to proceed with planning for rural land use in the Shire.

The Amendment was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr James
Cr Luff

Voting Against

Cr Polglase
Cr Beck
Cr Lawrie
Cr Marshall
Cr Youngblutt

The Motion was **Carried**

Voting For

Cr Polglase
Cr Beck
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

Cr Boyd
Cr Carroll
Cr James
Cr Luff

TEMPORARY ABSENCE FROM MEETING

Cr Youngblutt left the meeting.

6. **Development Application DA02/1307 for a 4 Lot Residential Subdivision at Lot 34 DP 31369, Lot 35 DP 31369, No 4 Kent Street, Tweed Heads**
DA02/1307 Pt1; LN: 19755

287

Cr Boyd

Cr Luff

RESOLVED that Council reaffirms the determination of refusal of Development Application DA02/1307 for a 4 lot residential subdivision at Lot 34 DP 31369, Lot 35 DP 31369, No. 4 Kent Street Tweed Heads.

Voting - Unanimous

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DECLARATION OF INTEREST

Cr Carroll

Declared an interest in Item No 7, left the Chamber and took no part in the discussion and voting.

The nature of the interest is that Cr Carroll is on the Board of the Tweed Training Enterprise Centre Limited (TTEC).

REPORTS FROM DIRECTOR CORPORATE SERVICES

7. Lease of Council Premises - 1 Nullum Street, Murwillumbah

Subj: Leases-Ccl Ppty; LN: 7236

288

Cr Luff

Cr Marshall

RESOLVED that Council enters into a lease with Tweed Training and Enterprise Company Limited over No 1 Nullum Street, Murwillumbah for a period of two (2) years on the same terms and conditions.

Voting - Unanimous

RETURN TO MEETING

Cr Carroll returned to the meeting.

8. Renewal of Licence - Land Adjacent to the Boyds Bay Bridge, Tweed Heads - Tweed River Boat Hire

Agreements; Licence - Crown Lands Act;

289

Cr Boyd

Cr Luff

RESOLVED that Council renews the licence currently held by Mr William Rex McConnell and Mrs Louise Elizabeth McConnell for a period of five (5) years commencing on 5 December 2003, at a rental of nine thousand dollars (\$9,000.00) per annum excluding GST which all other terms and conditions to remain as previously.

Voting - Unanimous

RETURN TO MEETING

Cr Youngblutt returned to the meeting.

9. Membership of NOROC

DW893745; NOROC

290

Cr Beck

Cr Luff

RESOLVED that Council does not become a member of the Northern Rivers Regional Organisation of Councils Inc (NOROC).

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Voting For

Cr Polglase
Cr Beck
Cr Carroll
Cr James
Cr Luff

Voting Against

Cr Boyd
Cr Lawrie
Cr Marshall
Cr Youngblutt

SUSPENSION OF STANDING ORDERS

291

Cr Polglase

Cr Marshall

RESOLVED that standing orders be suspended to deal with Item 2 of Orders of the Day.

Voting - Unanimous

ORDERS OF THE DAY

2. Cabarita Surf Lifesaving Club

Surf Lifesaving – Cabarita Beach; LN:16141; Notice of Motion

292

Cr James

Cr Marshall

RESOLVED that Council authorises the General Manager or his delegate to negotiate with the Cabarita Surf Club arrangements under which Council may agree to the construction of their new clubhouse on the lot on which the current clubhouse is located.

293

Cr Luff

Cr Beck

RESOLVED that an extension of 2 minutes be granted to Cr James.

Voting - Unanimous

The Motion was **Carried**

Voting - Unanimous

RESUMPTION OF STANDING ORDERS

294

Cr Luff

Cr Boyd

RESOLVED that Standing Orders be resumed.

Voting - Unanimous

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10. 2002/03 Loan Borrowing Program

Loans - Annual Program

295

Cr Boyd

Cr Luff

RESOLVED that :-

1. The General Manager and Manager Financial & Information Services be authorised to negotiate acceptance of the loan quotations; and
2. The loan applications, mortgage deeds and other documentation be completed under the Common Seal of Council.

Voting For

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

Voting Against

Cr Beck

11. Quarterly Budget Review 31 March 2003

Budget

296

Cr Boyd

Cr Marshall

RESOLVED that :-

1. The Quarterly Budget Review Statement as at 31 March 2003 be adopted.
2. The expenditure and income as detailed below be voted and adjusted in accordance with the revised total expenditure and income for the year.

GENERAL FUND		NEGATIVE (Contribute to Deficit \$	POSITIVE (Contribute to Surplus) \$
1.	Information Technology and Support – Savings		145,000
2.	Donations Policy – additional cost	6,500	
3.	Financial Assistance Grant – Local Government Grants Commission		86,208
4.	Section 603 Income		9,000
5.	Postage	5,000	
6.	Community Survey – Carried Forward to 2003/2004	35,000	

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GENERAL FUND		NEGATIVE (Contribute to Deficit \$	POSITIVE (Contribute to Surplus) \$
	2003/2004		
7.	Section 94 – Administration Plan Income		35,000
8.	Development Services – Legal Costs	40,000	
9.	Waste Management <ul style="list-style-type: none"> • Income/Fees • “Be Tidy” garbage collection 	180,000	180,000
10.	Library Subsidy/Grant	3,400	
11.	Bush Fire Prone area maps	12,000	
12.	Multicap – Donation to establish Respite House	30,000	
13.	Dump fees for transport		30,000
14.	Public Toilet – Stokers Siding	20,000	
15.	Kerb and Gutter Income	30,000	
16.	Road Maintenance – Railway Street, Murwillumbah	8,000	
17.	Section 68 Fees	60,000	
18.	Section 94 Rural Roads Income	30,000	
19.	Building Services Income Reserve for 2003/2004 Budget	250,000	250,000
20.	Land Development Reserve	25,308	
	TOTAL	735,208	735,208

Voting For

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

Voting Against

Cr Beck

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12. Overdraft Requirements

Banking

297

Cr Marshall

Cr Luff

RESOLVED that :-

1. The application be made for an overdraft limit of \$2,050,000 and contingent liability limit of \$340,000 with the Commonwealth Bank, and
2. All documentation to be executed under the Common Seal of Council.

Voting For

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

Voting Against

Cr Beck

13. Council Meeting Procedure

Council Meetings

298

Cr Luff

Cr Boyd

RESOLVED that this report be received and noted.

Voting - Unanimous

14. Election of Officers to the Executive Council of the Shires Association of NSW DW891782; Shires Association - General

299

Cr Marshall

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

15. Financial Report for Period Ending 28 February 2003

Financial Reporting

300

Cr Marshall

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

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REPORTS FROM DIRECTOR ENGINEERING SERVICES

- 16. Classification of Land As Operational - Lot 200 in DP 1030080 - Land for Transpiration Beds at Hastings Point**

GP1/16 Pt2; Land-Acquisitions; LN: 45125

301

Cr Boyd

Cr Luff

RESOLVED that the land transferred to Council for the purposes of transpiration beds at Hastings Point, described as Lot 200 in DP 1030080, be classified as Operational under Section 31 of the Local Government Act, 1993.

Voting - Unanimous

- 17. Creation of Easement for Water Supply - Chillingham Community Hall**
PF3780/1140; Rural Hall-Chillingham; Land-Transfer

302

Cr Luff

Cr Beck

RESOLVED that:-

1. Council approves the creation of Easement for Water Supply 1 metre wide within Lot 2 in DP 129078 in favour of Lot 10 DP 616569;
2. All necessary documentation be endorsed under the Common Seal of Council.

Voting - Unanimous

- 18. Waterways Asset Development and Management Program (WADAMP) - Grants for Boat Ramp Upgrades**
Boat Ramps; Lakes Drive; Chinderah Bay Drive; Dry Dock Road

303

Cr Marshall

Cr Luff

RESOLVED that Council accepts the WADAMP grants and complete upgrade works on Chinderah Lakes Drive and Dry Dock Road boat ramps.

Voting - Unanimous

- 19. Possessory Title Application - Dry Dock Road, Tweed Heads South being Lot 6 in DP 9042**

PF1680/555; Land-Acquisitions; Easements; Agreements; LN: 41716

304

Cr Boyd

Cr Luff

RESOLVED that Council endorses all necessary documentation pursuant to its obligations under the Deed of Agreement with YBOS Pty Ltd dated 5 September 2001.

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Voting - Unanimous

20. Shark Proof Swimming Enclosure

Beaches - Use of

305

Cr Beck

Cr Marshall

RESOLVED that this:-

1. Report be received and noted.
2. Information be forwarded to the Tweed Heads Ministerial Taskforce.

Voting - Unanimous

**21. Funding for The Coastal Estuaries Management Program
Estuary Management; Govt Grant-Water; Tweed River Management Plan**

306

Cr Boyd

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

22. Water Management

Water Management - General; Water Restrictions; Notice of Motion

307

Cr Luff

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

23. Bray Park Weir - Salt Intrusion

Water Headworks - Weirs - Bray Park

308

Cr Beck

Cr Boyd

RESOLVED that this report be received and noted.

Voting - Unanimous

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REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

24. Fire Risk to Properties

Bldg Code; Bushfire Protection; Fire Services

309

Cr Boyd

Cr Luff

RESOLVED that this report be received and noted.

Voting - Unanimous

25. Cabarita Beach Sports Centre - Project Budget

GC12/5-200238 Pt1; Cabarita/Bogangar Comm Centre-Les Burger Field

310

Cr Boyd

Cr Luff

RESOLVED that Council confirms the allocation of an amount of \$52,848 from the Section 94 Contribution Plan No. 15 – Tweed Shire Community Facilities for final fit out and commissioning costs for the Cabarita Beach Sports Centre.

Voting - Unanimous

26. Request for Lease of Council Land Within the Bilambil Sports Complex by Tennis Terranora Inc

Bilambil Sports Complex; Tennis Courts; Leases-Ccl Pty

311

Cr Boyd

Cr Youngblutt

RESOLVED that Council enters into a lease with Terranora Tennis Inc over a portion of Lot 1 DP 772273 being the shaded area of Figure 1 of this report, with:

1. The term of the lease to be five (5) years with a five (5) year option
2. The rental to be \$1.00 per annum
3. A draft lease to be prepared by Council Solicitors.
4. The necessary documentation being executed under the Common Seal of Council
5. All reasonable expenses involved with the lease being borne by the lessee (Solicitors, stamp duty)

Voting - Unanimous

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- 27. North Coast Academy of Sports Committee Representative**
Sport & Rec-General; Sports Advisory Cttee

312

Cr Marshall

Cr Youngblutt

RESOLVED that Council nominates Cr Beck as the representative on the Tweed-Byron Academy Sub-Regional Committee.

Voting - Unanimous

REPORTS FROM COMMITTEES/WORKING GROUPS

- 1. Minutes of the Sports Advisory Committee Meeting held Tuesday 18 March 2003**
Sports Advisory Committee

- 6. Sea Breeze Estate Sports Fields**

Sports Fields-Seabreeze

313

Cr Boyd

Cr Youngblutt

RESOLVED that the matter of the turf wicket at Sea Breeze Estate Sports Fields be considered by Council as part of its budget deliberations.

Voting - Unanimous

314

Cr Boyd

Cr Youngblutt

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

Voting - Unanimous

- 2. Minutes of the Tweed Shire Council Disability Access Committee Meeting held**
Thursday 20 March 2003
Access Matters; Disability Access Committee

- 9. Committee Vacancy**

Disability Access Committee

315

Cr Boyd

Cr Marshall

RESOLVED that Council approves the nomination of Mr Jeff Baldwin to join the Disability Access Committee.

Voting - Unanimous

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316

Cr Boyd

Cr Marshall

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

Voting - Unanimous

OUTSTANDING INSPECTIONS

Nil

ORDERS OF THE DAY

1. Murwillumbah Railway

Transport – Railways – General; Notice of Motion

317

Cr Boyd

Cr Youngblutt

RESOLVED that Council:

1. Enlists the support of Mr Newell in requesting the new Minister for Transport, Mr Costa, to visit the Tweed with a view to clarifying the Government's long term plan for the rail line between Casino and Murwillumbah.
2. Explores with the Minister the possibility of establishing a rail commuter service on this line.
3. Suggests to the Editor of the Tweed Link that a survey be conducted in the Tweed Link.

318

Cr Youngblutt

Cr Beck

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

Voting – Unanimous

The Motion was **Carried**

Voting - Unanimous

2. Cabarita Surf Lifesaving Club

Surf Lifesaving – Cabarita Beach; LN:16141; Notice of Motion

This item was dealt with at Minute No. 292.

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WORKSHOPS PREVIEW

1. Donations & Festivals Policy Workshop

Donations; Festivals - Policy

The Donations and Festivals Policy Workshop will be held on Wednesday, 23 April 2003 from 4.00pm to 5.00pm.

QUESTION TIME

Roads

Roads - Maintenance Program; Roads - Repair Program; Roads - General

Cr Beck

Could I have a copy of the 1992 road details:-

- How many kilometres of total roads in Tweed Shire?
- How many kilometres of total sealed roads in Tweed Shire?
- How many kilometres of total unsealed roads in Tweed Shire?

The General Manager advised that the details will be provided in response to these questions.

Parking Officer

Parking Infringement Notices

Cr Beck

How much money has been collected by the parking officer? Has this money been spent? If so, on what?

The General Manager replied that a report will be prepared in response to these questions.

ITEMS OF INTEREST & INFORMATION

Funeral Details - Mr Nick Bruin, former President of Coffee Growers Association and the Coffee Cooperative

Condolences

The Mayor advised that Mr Nick Bruin has passed away. He is the former President of Coffee Growers Association and the Coffee Cooperative. He was a prominent figure in agriculture. The funeral will be held Thursday, 17 April 2003 at 3.00pm at the Tweed Heads Crematorium.

Tweed Shire Dune Care Advisory Committee

Dune Care Cttee

The General Manager informed Council that a letter has been received from Mrs Rose Wright advising that she has withdrawn her nomination for the Tweed Shire Dune Care Advisory Committee.

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COMMITTEE OF THE WHOLE

319

Cr Marshall

Cr Youngblutt

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. Unauthorised Activity - Earthworks on Lot 113 DP 1031933, Tweed Coast Road, Kingscliff

DA02/1693 Pt1; LN: 44773

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

C60

That Council's Solicitors be instructed to commence legal action against the owner of Lot 113 DP 1031933, Tweed Coast Road Kingscliff for unauthorised earthworks on the property.

Voting For

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

Voting Against

Cr Beck

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REPORTS FROM DIRECTOR CORPORATE SERVICES IN COMMITTEE

2. Master Operating Lease Agreement

Information Services-Master Operating Lease

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*

C61

That Council:-

1. Appoints the National Australia Bank Limited as the preferred provider.
2. Appoints Key Equipment Finance Australia Pty Ltd as the alternative supplier.
3. Executes any documentation under Common Seal of Council.

Voting - Unanimous

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

3. EQ2003-22 Expression of Interest for the Supply of Hardware, Electrical and Plumbing Materials as a Preferred Supplier

Contracts/Quotations; Annual Supply

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*

C62

That the suppliers detailed as follows be endorsed as preferred suppliers and they be formally contacted and requested to nominate the level of discount that will be applied to all materials purchased by Council from that supplier over the period of the preferred supplier arrangement.

Voting - Unanimous

4. Smart House Sale - 1 Glebe Place, Tweed Heads South

Sustaining the Tweed; Land-Sale; DA2219/25 Pt3; LN: 41571

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*

C63

That:-

1. Council accepts the offer of \$330,000.00 (GST inclusive) from Mr Dawson; and

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

Voting - Unanimous

5. Industrial Land Development - Wardrop Valley

Land Development - Wardrop Valley; Land Sale; LN: 39840; PF5810/305 Pt2

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*

C64

That Council advises J & L J Dickinson that the property being part of Lot 31 in DP 133404 is not for sale at this point in time.

Voting - Unanimous

6. Banora Point STP - Supply & Installation of Raw Sewage Screening Equipment

Banora Pt STW-Screens-EC2003-52

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*

C65

That:-

- 1. The Tender for EC2003-52 be awarded to VoR Environmental for the sum of \$179,410 inclusive of GST and comprised as follows:-

Option 2	\$154,979
Upgrade screen to RS29-180-3	\$19,646
Lifting equipment	\$4,785
Total	\$179,410

- 2. Council votes the amount of \$200,000 from Sewer Fund Asset Replacement Reserves.

Voting - Unanimous

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320

Cr Marshall

Cr Boyd

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 6.30pm.



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 25 of these Minutes**

Chairman