

Minutes - Meeting of Tweed Shire Council

IN ATTENDANCE

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

Also present were Dr John Griffin (General Manager), Mr Mike Rayner (Director Engineering Services), Mr David Broyd (Director Development Services), Mr Don Buckley (Director Environment & Community Services), Mr Brian Donaghy (Manager Administration Services/Public Officer), Mr Richard Adams (Manager Business Undertakings) and Mrs Meredith Smith (Minutes Secretary).

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

The meeting opened with a Prayer by the Mayor.

ABORIGINAL MENTOR PROGRAM

Aboriginal Matters

The Mayor welcomed Mr Russell Logan, a participant of the Aboriginal Mentor Program.

Mr Logan addressed Council regarding the Program.

CONFIRMATION OF MINUTES

233

Cr Boyd

Cr Youngblutt

RESOLVED that the Minutes of the Ordinary Meeting held 19 March 2003 be confirmed as an accurate record of the proceedings of that Meeting with the following amendment:-

Minute No 227, Orders of the Day –an addition to the resolution ...”... *and that a report be brought forward within 14 days.*”

Voting - Unanimous

ABSENT

Councillors G Davidson (Deputy Mayor), H James.

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

Councillor Cr James has informed the General Manager that his absence is caused by a prior engagement.

234

Cr Boyd

Cr Marshall

RESOLVED that the apology of Cr Davidson, Cr James be accepted.

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Voting - Unanimous

DISCLOSURE OF INTEREST

Nil.

ITEMS TO BE MOVED TO OR FROM CONFIDENTIAL

Nil.

SCHEDULE OF OUTSTANDING RESOLUTIONS

235

Cr Boyd

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

MAYORAL MINUTE

1. RACQ Careflight

This item was received and noted.

Donations

2. TEDC

This item was received and noted.

TEDC

3. Harmony Day

This item was received and noted.

Aboriginal Matters; Ethnic Affairs-Multicultural Matters

4. Kingscliff Coast Guard Training Centre

This item was received and noted.

Air Sea Rescue

5. Senior Citizens Week

This item was received and noted.

Snr Citizens Week

6. Lindisfarne – Lane Theatre Ensemble

This item was received and noted.

Councillors' Invitations

7. Tweed Coast Rescue

This item was received and noted.

Air Sea Rescue

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8. Meals On Wheels

Meals on Wheels

This item was received and noted.

9. Pottsville Small Business Corp

Councillors' Invitations

This item was received and noted.

10. Tweed Coast Bitou Bush Control Steering Committee

Noxious Weeds

This item was received and noted.

11. TEDC

TEDC

This item was received and noted.

12. Gold Coast Airport

Airport Coolangatta/Tweed

This item was received and noted.

13. PIA Congress Adelaide

Professional Associations/RIPI

This item was received and noted.

Adoption of Mayoral Minute

236

Cr Polglase

RESOLVED that the Mayoral Minute as presented be adopted.

Voting - Unanimous

ITEMS DEFERRED

Nil.

REPORTS THROUGH GENERAL MANAGER

REPORTS FROM DIRECTOR DEVELOPMENT SERVICES

- 1. Development Application DA02/1695 for a Shopping Centre Redevelopment at Lot 4 DP 616206 and Lot 1 DP 793260 Meridian Way, Tweed Heads – the “Endless Summer Shopping Centre**

DA02/1695 Pt6; LN: 24140

237

Cr Beck

Cr Youngblutt

RESOLVED that on the advice of the applicants, that this item be withdrawn and that the item be received and noted.

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Voting – Unanimous

ATTENDANCE AT MEETING

Cr Carroll attended the meeting at 3.05pm.

2. Tweed Coast Strategy

GT1/29/3 Pt2; Tweed Coast Strategy

Cr Beck

Cr Brinsmead

PROPOSED that this item be deferred pending an invitation being extended to the Minister for he or a senior staff member to address Council.

AMENDMENT 1

Cr Boyd

Cr Carroll

PROPOSED that

1. Council prepares and exhibits a draft Development Control Plan the “Tweed Coast Strategy 2002” by amending the Draft Tweed Coast Strategy 2002 Discussion Paper as follows: -
 - a. Confirm Turnock Street, (adjacent to the existing Kingscliff Shopping Centre) Kingscliff as the site of the District Town Centre for the Tweed Coast.
 - b. Include an explanation of the green belt policy and an appropriate Policy Statement in Section 7.0 Environmental and Coastal Issues.
 - c. Environmental aspects:
 - recommend Council prepare a Koala Management Plan;
 - include all threatened species and species habitat wetland and significant vegetation communities;
 - include the habitat of the Mitchell’s Rainforest Snail;
 - include east-west vegetated corridors at West Kingscliff.
 - d. Set out the requirements for beach access, integrated with the principles for the location of public parking areas.
 - e. Include relevant coastal regional facilities as set out in Council’s adopted Open Space Strategy.
 - f. Replace 5.8 (Kingscliff) with “It is intended to undertake a comprehensive review of future parking for the existing Kingscliff CBD. Notwithstanding that intention, the need for a parking station to service the CBD should be retained which should be integrated into the District Centre on the southern side of Turnock Street”.

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- g. The planning for the Chinderah Road – Turnock Street link include traffic controls to manage Crescent Street.
 - h. Include a site for emergency services on the Kingscliff STW site (assuming the treatment works are relocated).
 - j. The location and need for potential upgrading of the Kingscliff Amenities Hall be reviewed.
 - k. Reference should be made to Master Plans in Section 2 of the Discussion Paper and the Strategic Plan diagram.
2. The Discussion Paper to be completed for the area between Kingscliff and Cudgen Lake and in the longer term be extended to include:
 - the full length of the Tweed Coast from Fingal to Wooyung; and
 - broad locality plans for each of the coastal communities as a basis for detailed local planning.
 3. An incentives framework be evaluated to potentially achieve the coastal esplanade detailed in Section 7.1; and require a link from any esplanade at Lot 490 to the realigned Casuarina Way.

238

Cr Beck

Cr Youngblutt

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

Voting - Unanimous

239

Cr Beck

Cr Youngblutt

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

Voting - Unanimous

240

Cr Beck

Cr Brinsmead

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

Voting – Unanimous

Amendment 1 was **Lost**

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Voting For

Cr Boyd
Cr Carroll

Voting Against

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

AMENDMENT 2

241

Cr Polglase

Cr Marshall

RESOLVED that

1. Council prepares and exhibits a draft Development Control Plan the "Tweed Coast Strategy 2002" by amending the Draft Tweed Coast Strategy 2002 Discussion Paper as follows: -
 - a. Include an explanation of the green belt policy and an appropriate Policy Statement in Section 7.0 Environmental and Coastal Issues.
 - b. Environmental aspects:
 - recommend Council prepare a Koala Management Plan;
 - include all threatened species and species habitat wetland and significant vegetation communities;
 - include the habitat of the Mitchell's Rainforest Snail;
 - include east-west vegetated corridors at West Kingscliff.
 - c. Set out the requirements for beach access, integrated with the principles for the location of public parking areas.
 - d. Include relevant coastal regional facilities as set out in Council's adopted Open Space Strategy.
 - e. Replace 5.8 (Kingscliff) with "It is intended to undertake a comprehensive review of future parking for the existing Kingscliff CBD. Notwithstanding that intention, the need for a parking station to service the CBD should be retained which should be integrated into the District Centre on the southern side of Turnock Street".
 - f. The planning for the Chinderah Road – Turnock Street link include traffic controls to manage Crescent Street.
 - g. Include a site for emergency services on the Kingscliff STW site (assuming the treatment works are relocated).
 - h. The location and need for potential upgrading of the Kingscliff Amenities Hall be reviewed.

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- i. Reference should be made to Master Plans in Section 2 of the Discussion Paper and the Strategic Plan diagram.
2. The Discussion Paper to be completed for the area between Kingscliff and Cudgen Lake and in the longer term be extended to include:
 - the full length of the Tweed Coast from Fingal to Wooyung; and
 - broad locality plans for each of the coastal communities as a basis for detailed local planning.
3. An incentives framework be evaluated to potentially achieve the coastal esplanade detailed in Section 7.1; and require a link from any esplanade at Lot 490 to the realigned Casuarina Way.

The Amendment was **Carried**

Voting For

Cr Polglase
Cr Boyd
Cr Brinsmead
Cr Lawrie
Cr Marshall
Cr Youngblutt

Voting Against

Cr Beck
Cr Carroll

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

Voting For

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

Voting Against

Cr Beck

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

DA02/1137; LN: 16407

Cr Marshall

Cr Boyd

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

1. The proposal is an overdevelopment of the site.

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

ATTENDANCE AT MEETING

Cr Luff attended the meeting at 4.10pm.

The Motion was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr Luff
Cr Marshall

Voting Against

Cr Polglase
Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Youngblutt

242

Cr Brinsmead

Cr Beck

RESOLVED that Council supports the proposal in principle and requests the Director to bring forward appropriate conditions for consideration by Council.

TEMPORARY ABSENCE FROM MEETING

Cr Youngblutt left the meeting.

TEMPORARY ABSENCE FROM MEETING

Cr Luff left the meeting.

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AMENDMENT

Cr Boyd
Cr Carroll

PROPOSED that this matter be deferred until such time as Council has concluded its policy on Coastal Protection.

RETURN TO MEETING

Cr Luff returned to the meeting.

RETURN TO MEETING

Cr Youngblutt returned to the meeting.

The Amendment was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr Luff

Voting Against

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

The Motion was **Carried**

Voting For

Cr Polglase
Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Youngblutt

Voting Against

Cr Boyd
Cr Carroll
Cr Luff
Cr Marshall

SUSPENSION OF STANDING ORDERS

243
Cr Youngblutt
Cr Beck

RESOLVED that standing orders be suspended to deal with Item 2 and 4 Orders of the Day of the Agenda.

Voting – Unanimous

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ORDERS OF THE DAY

- 2. Draft Tweed Local Environmental Plan 2000, Amendment No 39 - "Housekeeping" Stage 2 (Lake Kimberley) and Draft Development Control Plan No 3 - Banora Point West/Tweed Heads South (Amendment No 12)**
GT1/LEP/2000/39 Pt1; LEP - Housekeeping Stage 2 - Lake Kimberley; GT1/DCP/3 Pt9 – DCP – Banora Point West/Tweed Heads South

244

Cr Brinsmead

Cr Beck

RESOLVED that Council resolution at Minute No 210 in relation to Item 4 of the Meeting held 19 March 2003 being:-

".....that Council:

- 1. Amends draft Local Environmental Plan Amendment No 39 and draft Development Control Plan No. 3 (Amendment No 12) in accordance with Option 2 (Annexure 2).*
- 2. Forwards the corresponding draft Local Environmental Plan 2000, Amendment No. 3, to the Minister for Planning and requests the Minister to make the Plan in accordance with Section 70 of the Environmental Planning and Assessment Act 1979.*
- 3. Implements the corresponding amendment to Development Control Plan No 3 – Banora Point West / Tweed Heads South in accordance with Option 2 (Annexure 2).*
- 4. Requests the Director of Development Services to negotiate acquisition of land from Bradshaw Developments that is appropriate to implement these draft Local Environmental Plans and draft Development Control Plan amendments.*

be rescinded."

Voting - Unanimous

245

Cr Beck

Cr Lawrie

RESOLVED that Council:-

1. Amends draft local Environmental Plan Amendment No 39 and draft Development Control Plan No 3 (Amendment No 12) to facilitate the proposed subdivision shown in B & P Surveys Plan 12470D, Revision A.
2. Forwards the corresponding draft Local Environmental Plan 2000, Amendment No 39, to the Minister for Planning and requests the Minister to make the Plan in accordance with Section 70 of the Environmental Planning and Assessment Act 1979.

Voting - Unanimous

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4. Doon Doon Hall

PF1640/430 Pt1; LN:8154; Rural Hall - Doon Doon; Notice of Rescission

246

Cr Beck

Cr Marshall

RESOLVED that Council resolution at Minute No 225 in relation to Item 18 of the Meeting held 19 March 2003 being:-

"... that Council advises the Doon Doon Hall Committee it has no objection in principle to the sale of the hall and land by the Committee subject to all necessary approval being obtained."

be rescinded.

Voting - Unanimous

247

Cr Luff

Cr Carroll

RESOLVED that Council staff provide to Councillors on or before the next Community Access meeting information regarding options for removal and re-establishment of the Doon Doon Hall, with or without toilets, and information regarding likely annual cost of maintenance.

AMENDMENT

Cr Beck

Cr Marshall

PROPOSED that the Doon Doon Hall be removed to the Crams Farm Recreation area adjacent to the amenities building.

The Amendment was **Lost**

Voting For

Cr Beck
Cr Brinsmead
Cr Marshall

Voting Against

Cr Polglase
Cr Boyd
Cr Carroll
Cr Lawrie
Cr Luff
Cr Youngblutt

The Motion was **Carried**

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Voting For

Cr Polglase
Cr Boyd
Cr Carroll
Cr Lawrie
Cr Luff
Cr Youngblutt

Voting Against

Cr Beck
Cr Brinsmead
Cr Marshall

RETIREMENT FROM MEETING

Cr Youngblutt

Left the meeting at 5.20pm.

RESUMPTION OF STANDING ORDERS

248

Cr Marshall

Cr Lawrie

RESOLVED that Standing Orders be resumed.

Voting - Unanimous

4. **Request to Refund Advertising Fees for Development Application DA03/0005 for a Green Keepers Shed (Burringbar District Sports Club) at Lot 7008 DP 92698 Fourth Avenue, Burringbar**

Tom O'Connor Reserve; DA03/0005 Pt1

249

Cr Marshall

Cr Beck

RESOLVED that the request to refund the advertising fee paid for Development Application DA03/0005 for a green keepers shed (Burringbar District Sports Club) at Lot 7008 DP 92698 Fourth Avenue, Burringbar not be supported as it may create an undesirable precedent and there are no funds in the Donations account.

Voting - Unanimous

5. **Redevelopment of Kingscliff Caravan Park**

DA02/2079 Pt4; LN: 32241

250

Cr Luff

Cr Lawrie

RESOLVED that this report be received and noted.

Voting - Unanimous

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REPORTS FROM DIRECTOR CORPORATE SERVICES

6. SouthROC - Regional Road Group

SROC

251

Cr Carroll

Cr Luff

RESOLVED that Council supports the nomination of Cr Max Boyd as the Tweed Shire Council representative to the Southern Regional Organisation of Councils' Regional Road Group.

Voting – Unanimous

AMENDMENT

Cr Beck

Cr Lawrie

PROPOSED that Council supports the nomination of Cr Marshall as the Tweed Shire Council representative to the Southern Regional Organisation of Councils' Regional Road Group.

The Amendment was **Lost** on the Casting vote of the Mayor.

Voting For

Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Marshall

Voting Against

Cr Polglase
Cr Boyd
Cr Carroll
Cr Luff

The Motion was **Carried** on the casting vote of the Mayor

Voting For

Cr Polglase
Cr Boyd
Cr Carroll
Cr Luff

Voting Against

Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Marshall

7. Rainforest Way Project

Rainforest Way; Joint Tourism Committee

252

Cr Luff

Cr Boyd

RESOLVED that Council considers providing an allocation in the 2003/2004 Budget of \$5,000.00 as Council's contribution towards the Rainforest Way Project.

Voting - Unanimous

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8. Preparation of Licence Over Lots 10 and 11 in DP262383 Duroby Creek, Bilambil
DA0530/840 Pt1; LN 30553; DW 881314

253

Cr Luff

Cr Lawrie

RESOLVED that this item be deferred to the meeting of 16 April 2003.

Voting - Unanimous

REPORTS FROM DIRECTOR ENGINEERING SERVICES

9. Tweed River Committee Support for the Fish Unlimited Project
Estuary Management

254

Cr Luff

Cr Marshall

RESOLVED that Council offers the following support and contributions to Wetland Care Australia for the Fish Unlimited project through the DOTSRs Sustainable Regions Program:-

1. Allocations from the Fingal Peninsular Wetland Rehabilitation budget for works that attain the objectives of the Kerosene Inlet and Sponsors Lagoon Rehabilitation Plan.
2. Contributions for other on-ground wetland enhancement or creation works within the Tweed River Estuary.
3. A cash contribution of up to \$5, 000 toward the salary of a dedicated wetland officer to assist with the development of wetland enhancement projects funded through the Tweed River Committee Program.
4. In-kind support through access to GIS mapping, aerial photography and other information held by Council.

Voting For

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

Voting Against

Cr Beck

Minutes - Meeting of Tweed Shire Council

10. **Withdrawal of Caveat 5360461 over Lot 2 DP 881169 Pursuant to Deed of Agreement made between Tweed Shire Council and Villa World Pty Ltd - Gollan Drive, Tweed Heads West**

DA2270/600 Pt 8

255

Cr Boyd

Cr Luff

RESOLVED that:-

1. Council approves the removal of Caveat 5360461 pursuant to Deed of Agreement between Tweed Shire Council and Villa World Pty Ltd;
2. All necessary documentation be endorsed under the Common Seal of Council.

Voting - Unanimous

11. **Third World Water Forum**

Engineering - Conferences / Seminars

256

Cr Boyd

Cr Marshall

RESOLVED that this report be received and noted.

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES

LATE ITEMS

257

Cr Boyd

Cr Marshall

RESOLVED that Items 11a and 11b being an Addendum items be dealt with and it be ruled by the Chairman to be of great urgency.

Voting - Unanimous

- 11a. **Proposed Amendment to Development Control Plan No 39
Development Control Plan-DCP; GT1/DCP/3 Pt9; GT1/DCP/2000/39 Pt1 – LEP-Amendment-
Housekeeping Stage2-Lake Kimberley**

Cr Boyd

Cr Carroll

PROPOSED that Development Control Plan No 39 amendment Option One outlined in the report be endorsed by Council..

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AMENDMENT

258

Cr Beck

Cr Brinsmead

RESOLVED that Council prepares an exhibited amendment to remove s4.9 of Development Control Plan No 39 so that all new dwellings in the shire have no requirement to install a greenhouse efficient water heating system.

The Amendment was **Carried** on the casting vote of the Mayor.

Voting For

Cr Polglase
Cr Beck
Cr Brinsmead
Cr Marshall

Voting Against

Cr Boyd
Cr Carroll
Cr Lawrie
Cr Luff

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

Voting For

Cr Polglase
Cr Beck
Cr Brinsmead
Cr Luff
Cr Marshall

Voting Against

Cr Boyd
Cr Carroll
Cr Lawrie

11b. Agreement for Surf Life Saving Services

Surf Life Saving

259

Cr Lawrie

Cr Luff

RESOLVED that Council approves:-

1. The provision of beach life saving services over the four day 2003 Easter holiday period at the contract price of \$8,177.71.
2. All necessary documentation be executed under the common seal of Council.

Voting - Unanimous

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REPORTS FROM COMMITTEES/WORKING GROUPS

1. **Minutes of the Community Cultural Advisory Committee Meeting held Thursday 27 February 2003**

Cultural Development – Advisory Committee

5. **TAFE**

Cultural Development – Advisory Committee

260

Cr Boyd

Cr Luff

RESOLVED that Council endorses the recommendation of the Community Cultural Advisory Committee to invite a representative of TAFE to be a member of the Community Cultural Advisory Committee.

Voting For

Cr Polglase
Cr Boyd
Cr Carroll
Cr Lawrie
Cr Luff

Voting Against

Cr Beck
Cr Brinsmead
Cr Marshall

7. **Aboriginal Identified Position**

Cultural Development – Advisory Committee

261

Cr Boyd

Cr Luff

RESOLVED that Council advises the Committee that funds will not be available in the budget for the Liaison position.

Voting For

Cr Polglase
Cr Boyd
Cr Carroll
Cr Lawrie
Cr Luff

Voting Against

Cr Beck
Cr Brinsmead
Cr Marshall

13. **Further Council Funding**

Cultural Development – Advisory Committee

262

Cr Boyd

Cr Luff

RESOLVED that Council advises the Community Cultural Advisory Committee that the matter of funding will be considered in Council's Budget for 2003/2004.

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Voting For

Cr Polglase
Cr Boyd
Cr Carroll
Cr Lawrie
Cr Luff

Voting Against

Cr Beck
Cr Brinsmead
Cr Marshall

263

Cr Boyd

Cr Luff

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

Voting - Unanimous

2. **Minutes of the Local Traffic Committee Meeting held Thursday 13 March 2003**
Traffic Committee

9. **Cudgera Creek Road/Mooball Road B Double Route**
Cudgera Creek Road; Pacific Motorway; Pottsville Road; R1470 Pt2; DW 689417; Traffic-Weight of Vehicles (Incl B-Doubles)

264

Cr Luff

Cr Marshall

RESOLVED that a 25m B Double Route be approved for Cudgera Creek Road from Motorway Interchange to Mooball Road and Mooball Road from Cudgera Road to Shackles Transport Depot excluding the hours 7.00am to 9.00am and 2.00pm to 4.00pm school days.

Voting - Unanimous

5. **Solander Street, Tweed Heads**
Solander Street; Parking – Illegal; R5120; DW720769; DW717396

265

Cr Luff

Cr Marshall

RESOLVED that:-

1. “No Parking” Signs be installed on southern side of the kerb at Solander Street from the driveway at No. 4 around the outside of the curve into Powell Street.
2. “No Parking” signs be installed from the entrance to the Ambulance Station on the inside of the curve to 15m into Powell Street.

Voting - Unanimous

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7. Wardrop Street, South Murwillumbah

Wardrop Street; R5800

266

Cr Luff

Cr Marshall

RESOLVED that a disabled parking bay be signposted in the 90° angle car space closest to the school in Wardrop Street.

Voting - Unanimous

8. Tweed Valley Way – Speed Zoning

Tweed Valley Way; R4031 Pt16

267

Cr Luff

Cr Marshall

RESOLVED that the speed limit on Tweed Valley Way be altered as follows:-

1. From 100m south of Minnows Road (at southern end of Murwillumbah) to Stokers Road (6.3km) becomes 90kph;
2. Stokers Road to Dixons Road (Burringbar Range) (5.6km) becomes 80kph;
3. Dixons Road to Yelgun Interchange to 90kph excluding the Burringbar and Mooball 60kph zone.

Voting - Unanimous

10. Pedestrian Access Mobility Plan Proposed Works (PAMPS)

Pedestrian Access Mobility Plan

268

Cr Luff

Cr Marshall

RESOLVED that “No Stopping Zones” be approved at the following pedestrian facilities:-

1. Turnock Street, Kingscliff
2. Tumbulgum Road, Murwillumbah
3. Wollumbin Street, Murwillumbah at Nullum Street
4. Overall Drive Pottsville.

Voting - Unanimous

269

Cr Luff

Cr Marshall

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

Voting - Unanimous

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3. Minutes of the Tweed Dune Care Advisory Committee Meeting held Thursday 13 March 2003

Dunecare

4. Casuarina Dune Care

Dune Care Committee

Cr Boyd

Cr Carroll

PROPOSED that Council accepts Rose Wright as the elected representative of the Casuarina Dune Care Group on the Tweed Dune Care Advisory Committee.

The Motion was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr Luff

Voting Against

Cr Polglase
Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Marshall

5. Pottsville Dune Care, Elfran Avenue Beach Access

Dune Care Committee

270

Cr Boyd

Cr Luff

RESOLVED that Council strongly considers supporting an additional funds allocation of \$20,000 for the Dune Care Support in the 2003/2004 budget.

Voting - Unanimous

9. Letitia Spit - Fingal Head

Dune Care Committee

271

Cr Boyd

Cr Luff

RESOLVED that Council not seal Letitia Spit road until a Plan of Management is in place to cater for the problems such as illegal rubbish dumping, parking, off road accesses, degradation of wetland and dunal areas, protection of migratory bird habitat, and alignment of road away from Kerosene Bay.

Voting - Unanimous

272

Cr Boyd

Cr Luff

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

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Voting - Unanimous

ORDERS OF THE DAY

1. **Bus Services - Routes**
Bus Services - Stops; Traffic Safety; R5431 Pt4; Terranora Road; Notice of Motion

273

Cr Lawrie

Cr Marshall

RESOLVED that Council requests the Traffic Committee to review the school student bus pick-up arrangements in front of the Terranora General Store in view of the constant potential danger of physical injury to a student.

Voting - Unanimous

2. **Draft Tweed Local Environmental Plan 2000, Amendment No 39 - "Housekeeping" Stage 2 (Lake Kimberley) and Draft Development Control Plan No 3 - Banora Point West/Tweed Heads South (Amendment No 12)**
GT1/LEP/2000/39 Pt1; LEP - Housekeeping Stage 2 - Lake Kimberley; GT1/DCP/3 Pt9 - DCP - Banora Point West/Tweed Heads South

This item was dealt with earlier in the meeting at Minute Nos 244 and 245.

3. **Donations/Festivals Policies**
Donations; Festivals - Policy; Notice of Motion

274

Cr Marshall

Cr Beck

RESOLVED that Council reviews the Donations Policy and Festivals Policy by holding a Workshop prior to Council considering the budget.

AMENDMENT

Cr Boyd

Cr Carroll

PROPOSED that should a workshop be held to review the Donations Policy and Festivals Policy, an invitation be issued to include representatives of groups requesting donations.

The Amendment was **Lost**

Voting For

Cr Boyd
Cr Carroll
Cr Luff

Voting Against

Cr Polglase
Cr Beck
Cr Brinsmead
Cr Lawrie
Cr Marshall

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The Motion was **Carried**

Voting For

Cr Polglase
Cr Beck
Cr Brinsmead
Cr Carroll
Cr Lawrie
Cr Luff
Cr Marshall

Voting Against

Cr Boyd

4. Doon Doon Hall

PF1640/430 Pt1; LN:8154; Rural Hall - Doon Doon; Notice of Rescission

This item was dealt with earlier in the meeting at Minute Nos 246 and 247.

5. Tweed and Coolangatta Tourism Inc. - Request for Additional Funding

TACTIC; Notice of Motion

275

Cr Lawrie

Cr Marshall

RESOLVED that Council considers contribution of \$36,000.00 in the 2003/2004 budget but to a Destination Marketing campaign to be developed by Tweed & Coolangatta Tourism Inc subject to:-

- a. total for the campaign being \$160,000 media spend
- b. \$64,000 to be contributed by TACTIC; and
- c. \$60,000 to be contributed by industry.

Voting For

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

Voting Against

Cr Beck

QUESTION TIME

Works Program – Brays Creek Road and Back Creek Road

R0730 Pt2-Brays Creek Rd; R0240 Pt1-Back Creek Rd

Cr Beck

Enquired as to when are the very dangerous roads, Brays Creek Road and Back Creek Road getting attention.

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The Director Engineering Services responded that regular grading of gravel roads will now recommence; such a program was halted due to rain. The two roads that you have mentioned are programmed to have work done on them within the next fourteen days.

COMMITTEE OF THE WHOLE

276

Cr Beck

Cr Luff

RESOLVED that Council resolves itself into a Confidential Committee of the Whole.

Voting - Unanimous

The General Manager reported that the Confidential Committee of the Whole had excluded the press and public from the whole of the Committee Meeting because, in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest, by reason of the confidential nature of the business to be transacted, and made the following recommendations to Council:-

REPORTS THROUGH GENERAL MANAGER IN COMMITTEE

REPORTS FROM DIRECTOR ENGINEERING SERVICES IN COMMITTEE

1. **Tender EC2003-12 - Supply & Delivery of One (1) 60kW Track-Type Tractor (Dozer)**

Plant/Equipment

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*

C52

That Council:-

1. Accepts the tender from Gough and Gilmour for the supply of the Caterpillar D5M (Dozer) Track-Type Tractor for the sum of \$304,755.00 (inclusive of GST)
2. Sells the existing Caterpillar D4XL Dozer to Gough and Gilmour for the price of \$96,800 (inclusive of GST) Rego No QKQ-676
3. Advises the unsuccessful tenderers.

Voting - Unanimous

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2. Quotations for supply and Delivery of Ready Mixed Concrete - 2 * 5MI Reservoirs, Pottsville Road, West Pottsville

Reservoir - Pottsville West

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*

C53

That the quotation from Readymix Concrete of Ballina (ex Billinudgel plant), in the amount of \$189,488.50 be accepted.

Voting - Unanimous

REPORTS FROM DIRECTOR ENVIRONMENT & COMMUNITY SERVICES IN COMMITTEE

3. Tender - Building Works, South Tweed Sports Field, Fraser Drive
Dave Burns Field; Ron Wilkinson Field; Contract - Building Works/Construction

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*

C54

Cr Luff

That Council:-

1. Accepts the tender amount of \$345,963.10 (GST exclusive) by Haigh's Constructions, Murwillumbah.
2. Executes the necessary documentation under the Common Seal of Council.
3. Authorises commencement of the project at the earliest opportunity.
4. Authorises the Director of Environment and Community Services to approve any modifications or variations to the project as may become necessary.

Voting - Unanimous

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4. Park Naming - Carlin Family - Jack Evans Boatharbour

Parks - Naming

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

(a) personnel matters concerning particular individuals

C55

That Council:-

1. Liaises with Mr Turner to determine which site is the preferred site for naming the Carlin Family Park.
2. Upon resolution, proceeds to calling for comments regarding the naming of the elected area the "Carlin Family Park".

Voting – Unanimous

277

Cr Marshall

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 7.53pm.



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 22 of these Minutes

Chairman