

## Minutes - Meeting of Tweed Shire Council

Voting For	Voting Against
Cr Polglase	Cr Beck
Cr Boyd	Cr Brinsmead
Cr Carroll	
Cr Davidson	
Cr James	
Cr Luff	
Cr Marshall	
Cr Youngbluff	

**5. Cabarita Beach Surf Life Saving Club Section 94 Contributions - New Clubhouse  
Surf Life Saving - Cabarita Beach; Cabarita Precinct Plan; Pandanus Pde; Palm Ave**

*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*

This item is dealt with at Item 5a (Minute No C14).

### LATE ITEM

#### C13

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

Voting - Unanimous

### TEMPORARY ABSENCE FROM MEETING

Cr Brinsmead left the meeting.

**5a. Cabarita Beach Surf Life Saving club Section 94 Contributions-New Clubhouse  
(ADDENDUM REPORT TO ITEM 5)**

**Surf Life Saving - Cabarita Beach; Cabarita Precinct Plan; Pandanus Parade; Palm Ave**

*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*

#### C14

That Council:-

- A. Intends to waive charges for carparking in lieu of provision of carparking when dealing with the development application for the new surf club building.

## Minutes - Meeting of Tweed Shire Council

- B. Will provide up to \$500,000 in funding for the provision of a building to be used for surf lifesaving being constructed by the Cabarita Beach Surf Lifesaving Club on the following basis:-
1. Council will be responsible for 70% of all progress payments up to a maximum amount of \$500,000.
  2. The design of the building is to be approved by Council. This relates to the facilities and functionality of the building, not the development application process. The Club assessed the needs that no option was being provided for a third storey.
  3. No mortgage is to be taken out over the land and buildings and this is to be recorded on the title deeds; the exact process to be determined by the General Manager.
  4. A project management team is to be established to contain two (2) Council representatives being one (1) Councillor and one (1) staff member.
  5. A preliminary budget and identification of the funding sources is to be provided by Cabarita Beach Surf Lifesaving Club.
  6. The building design and budget is to provide space for public toilets for two female, one male and plus urinal and one unisex disabled toilet. Council from its public toilets budget will fit out including tiling and will provide ongoing maintenance and cleaning.
  7. Council will be responsible for the footpath on Pandanus Parade. Council will provide a 3 metre wide strip to be added to the club's allotment along the western side of the club's allotment to compensate for the club land required for the footpath and the space taken up by the public toilets.
  8. Council will be responsible for the subdivision to implement Item 7.
  9. The plans for the development are to allow for the continued operation of the sewer to the existing toilet block until the project is completed and the new toilets are in operation.
  10. Council will allow use of some part of the existing public amenities to be used for storage during the construction of the clubhouse. Any modification costs to be part of the project budget.
  11. The Council will be responsible for the demolition of its building. The Club will be responsible for the demolition of the club building. Council will be responsible for demolition of the current toilet block upon completion of the project.
  12. The Club will be responsible for any cost overrun in the project.
  13. The Club will not be responsible for the provisions of car parking for the project.
  14. Adequate safeguards being put in place to protect Council's funds and Section 94 funds provided for the project for continued use of lifesaving purposes and

## Minutes - Meeting of Tweed Shire Council

Council delegates to the General Manager to determine a suitable mechanism to implement this requirement.

- C. All documentation be executed under the Common Seal of Council.
- D. Council appoints Cr Davidson to be on the project management team.

**Voting - Unanimous**

### 6. Public Access Restriction - Dilapidated Structure

DA3620/10 P14; 3620.10

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

*(b) the personal hardship of any resident or ratepayer*

*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*

C15

That:-

1. Council approves the issue of notices of intention to issue order No 21 under Section 124 of the Local Government Act, 1993 against the mortgagee Bridgecorp Australia Pty Ltd as well as the owner, Pacific Sands Motel Pty Ltd (in liquidation) i.e. Clout and Associates Chartered Accountants notifying that the property is unsafe and of Council's intention to issue orders requiring access to the land and buildings which are hazardous to be restricted within 7 days from the date of issues of the order. Any representations as to why Council should not issue the order may be made to Council within 7 days of the date of issue of the notice of intention.
2. Delegated authority be granted to the Director Environment and Community Services to determine any submissions against the notice of intention and determine whether orders will be issued.
3. If orders are issued and not complied with Council will proceed to carry out those works necessary to adequately restrict access to the building.

**Voting - Unanimous**

52

Cr Boyd

Cr Youngblutt

**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.

